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Support for Law Implementation On Economic Integration (STAR Plus Project)

**Annual Report
October 1, 2010 to September 30, 2011**

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STAR Plus: Annual Report for FY 2011

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The views expressed in this publication may not reflect the views of the United States Agency for International Development or the United States Government.

I. EXECUTIVE SUMMARY

September 30, 2011 marked the end of the first year of operations of the USAID Project known as “Support for Law Implementation on Economic Integration” or USAID STAR Plus. The purpose of the project is to support the Government of Vietnam’s efforts to continue its high level of trade and investment reforms, including changes in economic governance with all obligations and commitments to Vietnam’s trade and investment related agreements as they relate to the United States, in particular the U.S.-Vietnam Bilateral Trade Agreement (BTA) and the World Trade Organization (WTO) Agreement. The project is supposed to provide sufficient flexibility to support additional or future commitments Vietnam may undertake related to trade or investment agreements (such as the Trans Pacific Free Trade Agreement). The Project attempts to operate in a flexible, demand-driven mode under USAID leadership. Its activities are closely coordinated, under USAID supervision, with the U.S. Trade Representative (USTR), the Department of State, the Department of the Treasury, the Foreign Agricultural Service and other donors.

USAID awarded the Contract to the DAI/Nathan Group on September 30, 2010. The DAI/Nathan Group took over the office previously used by the USAID STAR II contractor, so the mobilization requirements were minimal. Unlike its predecessor projects, which operated under a Steering Committee in the Office of the Government, the USAID STAR Plus Project is under the supervision of the International Cooperation Department of the Ministry of Justice, which acts as a secretariat to a seven member, inter-ministerial Steering Committee chaired by the Vice Minister of Justice. Because of the transition from the OOG to the Ministry of Justice, the project was only authorized to conduct technical assistance activities from July 22, 2011 to September 30, 2011.

Highlights from this truncated performance period are discussed below:

1. Project Approval:

The project obtained all necessary approvals to formally start operations on July 22, 2011 after the Steering Committee approved the Action Plan. Below is a series of events that lead to this approval.

- **Project Document approved.** Under the guidance of the Ministry of Justice (MOJ) and USAID/Vietnam, the Contractor and the Project Management Unit in the MOJ completed the Project Document. The Prime Minister approved the Project Document in Official Letter Number 2186/VPCP-QHQT, dated April 8, 2011.
- **Steering Committee established:** Based on the approved Project Document, the Minister of Justice issued Decision No.610/QD-BTP on April 27, 2011 establishing the Steering Committee.

- **Formal Launch:** Following the Steering Committee's approval, the Project was formally launched on June 14, 2011. After the launch the Contractor worked with assigned counterparts to develop an Action Plan for Calendar Year 2011. The resulting Action Plan was approved by the Steering Committee on July 22, 2011. At this point, the Contractor was able to begin providing technical assistance in accordance with the Task Order.

2. Focus on Key Priorities

As indicated in the Action Plan for 2011, the USAID STAR Plus project focused on the following key priorities:

- Targeted assistance to support the Trans Pacific Partnership Free Trade Agreement (TPP) negotiations;
- Implementation of Resolution 11 on stabilizing Vietnam's macroeconomic performance;
- Training of government officials and business representatives on various topics of economic integration; and

Since the official start of the project, USAID STAR plus supported 58 training programs for approximately 5,000 participants, 1 study mission for 5 people, 4 webpages and 5 research papers. Where possible, the Project provided evaluation questionnaires to the participants and shared the results internally. The survey results available as of September 28, 2011 show that USAID STAR Plus workshops and training events received an average score of 9.3 on a scale of 1 to 10. Seventy-seven percent of respondents rated the events as "good." Ninety-seven percent of respondents said that the events met their goals and 92% thought that the skills and knowledge acquired were useful or very useful for their jobs. The details of the onsite evaluations are provided in Annex 2.

II. Project Operations in 2011

This section reviews the main outcomes of the technical assistance provided in 2011. Detailed descriptions of all activities are included in the monthly reports which are provided in Annex 1 to this report.

1. Good Governance

The strategy of USAID STAR Plus project in this program element is to build the capacity and skills of Vietnamese institutions and stakeholders to take advantage of and implement the significant legal reforms on transparency achieved in under the USAID STAR II Project. The objective is to make the system for law and rulemaking in Vietnam transparent, capable of producing effective laws and regulations that meet international commitments and address local needs. This will lessen the need for USAID technical assistance for specific laws.

Our support strategy in this program element focused on three components.

- Strengthening law and rule making agencies (supply side);
- Strengthening the participation of the public and businesses (demand side); and
- Supporting legal changes to institutionalize good practices.

On the supply side, we supported the Office of the Government in training officials from 63 provinces and cities on the new rules governing publication of laws and institutional arrangements. We also trained those officials on how to facilitate the operations of their Official Gazette and the experience of the 18 provinces that are currently using the provincial E-Official Gazette software. Several provinces have since contacted us to express interest in adopting the software. As a result of our support in finalizing the software and training, the staff of the Official Gazette Division in Hanoi is using the E-Official Gazette software in their daily work. The next step in this area is to work with the Government Portal to integrate the interface of the program into the Government Portal.¹ The Government Portal and the Administrative Division of the OOG will need to work together to make the USAID-developed software the national standard so that it will be implemented at all levels. The Government Portal expressed a desire for technical assistance to consolidate all official gazettes at the government portal to enable people to access all laws and regulations of the countries in one webpage.

A major focus of the USAID STAR II project and an important issue for the Trans Pacific Free Trade Agreement (TPP) negotiations is labor, especially freedom of association. For internal reason, the Ministry of Labor, Invalids and Social Affairs, elected to not continue its close cooperation with USAID in drafting the new Labor

¹This interface, with full search function, is now available at the intranet of the OOG. The external webpages publishes official gazettes using an old interface with limited search function.

Code after the USAID STAR II project ended. Nevertheless, the USAID STAR Plus project continued to support an active dialogue between Vietnam and the United States on labor issues. Among the activities carried out were, labor dispute training by Dean Jeff Brand and Professor John Adler of the University of San Francisco. Dean Brand is a former judge with extensive experience with labor issues in the United States and Professor Adler is one of the leading authorities on labor dispute resolution. USAID STAR Plus also secured the rights to publish in Vietnamese and began translating an abridged version of a textbook on international labor law written by some of the world's leading experts on labor law. Although, MOLISA chose not to engage with any bilateral assistance organization on the final draft of the revised Labor Code, the Project prepared detailed comments on the draft Labor Code at the request of the National Assembly.

In coordination with USAID VNCI II, the USAID STAR Plus Project supported a training course for the staff of the newly established Administrative Procedure Control Agency at the Office of the Government.

The MOJ worked with USAID STAR Plus to train over 800 local and central officials on public consultation skills and new rules on the elevated role of the legal staff. The draft decision to raise the salary of legal staff by 20-30% was introduced and discussed at these training events. This shows the commitment of the Government to invest in human resources to develop good legal systems and to strengthen the rule of law. We shared U.S. and international best practices in public consultation with the trainees, including the use of electronic systems, such as www.regulations.gov in the U.S. Our survey of legal staff from 12 ministries confirmed that the U.S. experience of using www.regulations.gov is particularly relevant for Vietnam. We will seek to promote this in the future to provide better tools for public consultation.

On the demand side, the USAID STAR Plus Project supported the Vietnam Chamber of Commerce and Industry in pioneering two new initiatives to raise the profile and voices of the business community in the development of legislation.

First, we worked with VCCI to develop and launch the Ministerial Effectiveness Index (MEI) which built on the success of the Ministerial Transparency Index (also known as the Legal Development and Enforcement Assessment--LDEA) in 2010. VCCI is completing the survey of businesses associations on legal development and implementation practices by ministries. The report will rate and rank ministries with regard to its transparency and effectiveness in legal development and implementation. It raises the profile of the business sector in law and rule making and provide disincentives for non-transparent behavior. VCCI considers this to be the equivalent of the PCI for ministries and would like to position this as one of their flagship products. The report will be completed in 4th quarter of 2011.

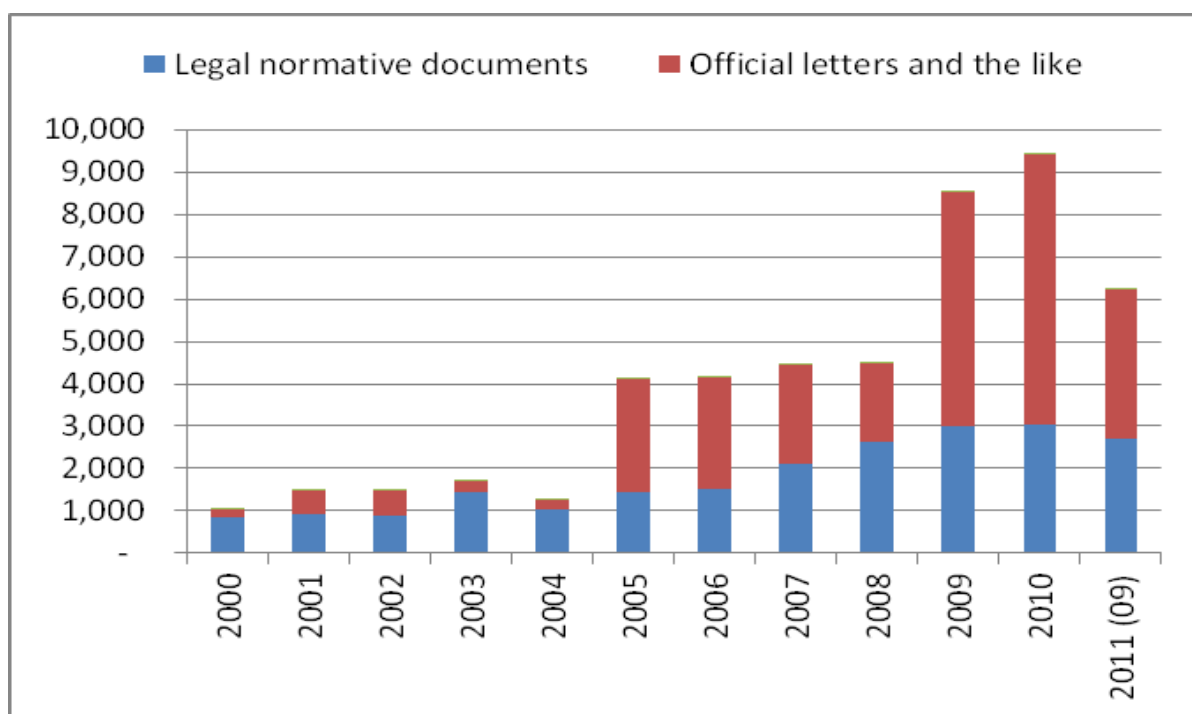
Second, we supported VCCI and the Legal Department of the OOG to launch "Project 16." This is a new approach to a public-private partnership in law and rule making. Instead of commenting on drafts and ideas from the Government, under this project businesses will review and propose to OOG, Ministries and National Assembly their views regarding problems with 16 laws and their regulations that have a major impact on the business community and that are scheduled for revision soon. Project 16 will provide very specific recommendations to the OOG and the National

Assembly on how to improve these laws and regulations. The Government team, under the leadership of OOG, and the private sector, under the auspices of VCCI, will work together in public consultation workshops to finalize their reports and agree on the future course of action. USAID STAR Plus supported the first review of 10 laws. VCCI and the OOG funded the review of ministries. The U.K. (DIFID) funded a series of public consultations workshops. The final report will be completed in late 2011.

Although Vietnam has made a considerable progress in improving legal transparency, the system remains far from perfect. This is partly because some of the supporting legal and institutional infrastructure is weak or non-existent. The USAID STAR Plus Project attempted to address some of these shortcomings in 2011.

While the pace of producing laws and regulations to govern an increasing opened and growing economy has increased significantly, Vietnam relies more heavily on administrative documents which are often not transparent (see Figure 1 below). Often people and businesses do not know which laws are in force there are so many overlapping new laws and regulations issued recently. In an attempt to address this issue, USAID STAR Plus recommended the use of codification, which has been used successfully by the U.S. and France, to resolve this important problem. We provided comments on the draft Ordinance on Codification to the MOJ, OOG and the Law Committee of the National Assembly. At the same time, we worked with the State Bank to codify laws and regulations in the banking sector to demonstrate that this can be done in Vietnam. The draft Ordinance has been submitted to the National Assembly and is expected to be approved in 2012.

Figure 1: The Pace of Legal Development and Over Reliance on Official Letters



Source: Data derived from www.vietnamlaw.com.vn

In short, the outcomes of this program element in FY 2011 were:

- Operationalization of E-Official Gazette software at the OOG to facilitate publication of legal information;
- Improved skills and knowledge of legal transparency by government ministries and a decision by the Government to invest more resources; and
- A stronger public and private partnership in law and rule making.

2. Trade and Investment

Support for the TPP: Consistent with the instructions of the Steering Committee and USAID, a priority for USAID STAR Plus Project was support for the Trans Pacific Partnership Free Trade Agreement (TPP). Under the guidance of USAID, we consulted and coordinated with USTR and the U.S. Embassy to provide TPP related technical assistance. The technical assistance we provided on the TPP expanded the knowledge of Vietnamese policy makers and will, according to the USTR, accelerate and smooth the TPP negotiation. A summary of the technical assistance on TPP provided by USAID STAR Plus in 2011:

- Supported the Ministry of Trade and Industry (MOIT), the Customs Department and related parties to better understand the rules of origin and customs issues under an U.S. free trade agreement through a project design mission in May 2011 by Mr. Jay Eisenstat, former head of Customs for USTR in Washington;
- A series of workshops in July on government procurement, intellectual property rights (IPR) and labor issues where USTR experts exchanged ideas with the Vietnamese counterparts, including those not serving as negotiators,

but who play a key role in making and implementing TPP-related policies in these areas;

- A study mission to Chicago and Washington on government procurement. The study mission enhanced the understanding of the Ministry of Public Investment's Tendering Department on the U.S. experience in legislating and administering public procurement. The mission was described as "very useful" and "much more than expected" by the delegation." The team learned a great deal from the U.S. approach of seeking best value instead of the current system in Vietnam which favors lowest bids.

USTR, through the U.S. Embassy and USAID, plays a key role in facilitating these technical assistance programs. Often, the "consultants" under these programs are actually USTR or U.S. Government experts who are involved in the negotiations. As USAID STAR Plus consultants, they are able to engage in much more informal exchanges of ideas and information, thus greatly facilitating the formal negotiations between the two governments.

In parallel with technical assistance to the TPP negotiations, USAID STAR Plus also implemented a series of technical assistance activities to support implementation of Vietnam's WTO/BTA commitments.

Building Capacity at Customs

Online Database

USAID STAR Plus supported Customs to develop and use an online tariff database which is available to any business or local customs office with an internet connection. The database contains all currently valid tariffs, legal documents and guidelines on classification. This is the first fully functional webpage on tariffs. Businesses and Customs officials can go to this webpage to see the currently valid tariff instead of having searching through a large number of legal documents to ascertain the current tariff. This will also help the MOF/Customs save money and human resources that would otherwise have to be spent on updating and printing the tariff schedules. The database is hosted at <http://thuexnk.customs.gov.vn> (see home page below). This tool enables Customs to meet the requirement for transparency of tariffs and the uniform application of customs procedures required under the WTO/BTA.

Figure 2: Website interface for online tariff database (www.thuexnk.customs.gov.vn)

USAID STAR Plus will continue to provide support to Customs to update the site, provide training to businesses and customs officers on how to use it and develop a classification software to enable sharing of classification at all checkpoints to ensure uniform application of classification and facilitate consistent instruction on classification throughout the system.

Tariff Structure

Customs requested USAID technical assistance to convert the current tariff structure from HS 2007 to HS 2012 and from a 10 digit system to an 8 digit system in order to meet the requirement for trade in goods under WTO and ASEAN. USAID STAR Plus responded with timely assistance in the form of two 12-day, intensive technical workshops in August and September 2011. Customs and the Ministry of Finance selected the best and brightest officials to work on this challenging and daunting but critical job. As a result of this work, a new tariff nomenclature is now available for comment by businesses and interested parties.

Legal Framework for Agricultural Trade

A key issue for trade between Vietnam and the United States is the trade in agricultural products. U.S. Agricultural exports to Vietnam have experienced strong growth over the last few years (see Figure 2 below). Agricultural exports now account for 39% of total U.S. exports to Vietnam. Vietnamese agricultural exports to the U.S. account for 7% of Vietnam's total exports to the U.S.²

² Based on calculation from data provided by USITC at www.usitc.gov and USDA FAS www.fas.usda.gov/gats/default.aspx

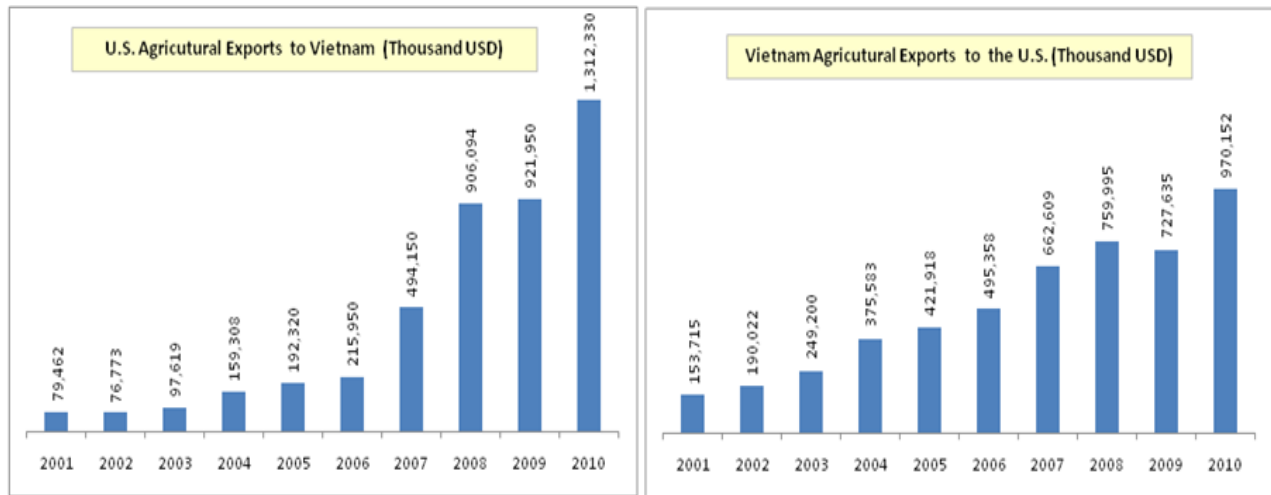
Vietnam is planning to issue a number of new regulations which will have important implications for the importation of agricultural products from the U.S. and other countries. USAID STAR Plus worked closely with U.S. Embassy's Foreign Agricultural Service and private U.S. exporters to ensure these regulations provide adequate protection to Vietnamese consumers and are not harmful to bilateral agricultural trade.

USAID STAR Plus worked with USDA and a private, Denver based association of the largest American food exporters, the Food and Agriculture Export Alliance (FAEA) to:

- Support the Ministry of Agriculture and Rural Development (MARD) participation in Sanitary and phytosanitary (SPS) training in the United States through the Cochran program.
- Support the VCCI in conducting two workshops to enable the private sector to comment on the draft Decree on Food Safety in April 2011; and
- Support MARD in developing the Law on Veterinary Health and the Law on Plant Health, which will lay the foundation for reforming the SPS system in Vietnam to comply with international standards.

USAID STAR Plus conducted several discussions with MARD and MOIT on future technical assistance in this important area, including a science-based risk assessment to identify and address the most critical food safety risks in Vietnam, using internationally recognized risk assessment techniques.

Figure 3: Growth of Bilateral Agricultural Trade (Thousands USD)



Source: USDA Foreign Agricultural Service (<http://www.fas.usda.gov/gats/default.aspx>)

IPR Enforcement

In order to strengthen Intellectual Property Rights (IPR) protection, USAID STAR Plus focused on (i) enhancing IPR enforcement via training and capacity building, (ii) strengthening and developing the legal framework, and (iii) raising awareness of IPR protection. The USAID STAR Plus project supported the Ministry of Science and Technology (MOST) to write and issue the Decree on Administrative Fines on IPR Enforcement. The Ministry of Science and Technology's Management Training Institute (MTI) worked with USAID STAR Plus to design and conduct two 3-day training courses on intellectual property rights for IPR enforcement forces. The training pulled together all the key officials responsible for enforcement for intensive discussion on topics identified as top concerns by the participating organizations. One of the main objectives was to enhance and strengthen the cooperation among the enforcement organizations using different tools available under the laws that USAID helped develop under the STAR II project. The level of engagement by the participants was at a much higher level than has been the case in the past, suggesting a new, very serious commitment to IPR protection. The technology and materials used in the training courses were shared with the MTI so that they can use be in the MTI's own programs. USAID STAR Plus also supported a week-long training on IPR as part of a broader training effort for law students of Diplomatic Academy of Vietnam.

USAID STAR Plus provided technical support to the MOST to keep the IPR enforcement website updated with cases and information on IPR enforcement. USAID STAR Plus supported MOST in conducting a survey of IPR enforcement practices in the South and participated in workshop with IPR right holders on the IP day to raise awareness about IPR enforcement and facilitate cooperation between right holders and enforcement officials.

The Law on Intellectual Property Rights was one of the laws included in Project 16 (discussed above). USAID STAR Plus supported the first review of this Law and

facilitated the discussion between the Government and the business community on amending this Law and related regulations/legislation to lay a stronger legal foundation for IPR enforcement. Consistent with our overall strategy, USAID STAR Plus played a facilitating role in this exercise and let the VCCI and OOG take the leading role to interact and work with the business community. The result of the discussion was described by the participants as “very fruitful”.

Legal Transparency

USAID STAR Plus continues to support Vietnam's effort to increase legal transparency in order to meet WTO/BTA requirements. The programming support for this activity was discussed in Section 1 above.

Investor-State Dispute Resolution

The Ministry of Justice worked with USAID STAR Plus to design and implement three three-day training courses for local officials from 63 provinces on how to handle investor-state disputes in accordance with WTO/BTA requirements and international practices. The participants were introduced to international arbitration procedures and international cases on state-investor disputes. The training highlighted the need for local offices to treat foreigner investors fairly and transparently to avoid costly disputes.

Sustainable Standards and Market Research Tools

MOST worked with USAID STAR Plus and the International Trade Center in Geneva (ITC) to provide training for coffee businesses and growers on StandardMap, an online database of sustainable, voluntary standards. Vietnam is one of the first countries to roll this out. With access to this database, coffee businesses and growers can compare different standards and select the most suitable sustainable standard certification program for them. The workshop was so successful that an NGO and the local provinces immediately requested MOST, USAID STAR Plus and the ITC to conduct a training program for trainers in FY 2012 to popularize this new knowledge at the grass roots level and to provide a more in-depth training program for businesses and growers using case studies from Vietnam. The Hanoi People's Committee Department of Trade and Investment participated in a training program for MPI officials and subsequently organized training on several market analysis tools (StandardsMap, TradeMap and InvestmentMap) for local officials. Other provinces are likely to follow Hanoi's lead once a corps of Vietnamese trainers has been created.

Although the primary beneficiaries were Vietnamese exporters, the ITC tools are also available to U.S. producers. U.S. companies that have invested in Vietnam, such as Nike, can also benefit from locally produced products that are more competitive internationally as a result of meeting internationally recognized standards, such as the Rainforest Alliance standard, Fair Trade standards, Good Agricultural Practice Standard (GAP), etc.

Building Human Resources for Trade and Investment

Human resources are a key factor in implementing trade commitments and a high priority for USAID STAR Plus. USAID STAR Plus supported the Ho Chi Minh Academy for Political and Administrative Development (HCMA) develop a training program for local leaders and party officials. This training program was discussed at a workshop and will be rolled out in October 2012. USAID STAR Plus worked with the Ministry of Foreign Affairs (MOFA) to organize a five-week training program on economic integration, including 2 weeks in Vietnam and 3 weeks on the campus of Connecticut College in Bridgeport, Connecticut. The program provided young diplomats with practical knowledge related to economic integration and how it supports the development of Vietnam. In response to a request from the Ministry of Industry and Trade, USAID STAR Plus supported long-term training for staff of the MOIT Competition Authority WTO trade remedies procedures in their offices in Hanoi.

In summary, in 2011 USAID STAR Plus Technical assistance has assisted Vietnam to:

- understand better the implications and commitments of TPP;
- build capacity, instruments and skills to enforce IPR better;
- facilitate bilateral agricultural trade; and
- Build the human capacity and skills for further economic integration.

By no means, we want to say that these works are completed in one years because all of them are long term but we want to highlight progress has been made in these areas.

3. Financial Sector

USAID STAR Plus support to the financial sector is made up of two components. The first one is supporting the State Bank of Vietnam (SBV) to regulate the banking sector more effectively while promoting integration of the sector. The second one is to support the development of the capital market and implement the liberalization requirements of the WTO and BTA.

Improving secured transaction operations

Under USAID STAR II, a fair amount of technical assistance was provided to supporting the development of a new regulatory system, USAID STAR Plus's technical assistance to date in the banking sector has focused on implementation issues. USAID STAR Plus supported the MOJ, in coordination with the SBV and related agencies to review the implementation of regulation on secured transactions with bankers in Hanoi and Ho Chi Minh City. These workshops confirmed that the support of USAID and other donors in developing the secured transaction system yielded great results. The bankers at the workshops provided important input/feedback to enable the MOJ, SBV and related agencies to amend the current regulations and improve the performance of secured transactions in Vietnam and increase transparency using integrated information systems. The next step is to implement online secured transactions, as it is done in the U.S. Improvements in this area will facilitate access to bank loans, reduce transaction costs and strengthen the banking system.

Codification of Banking Regulations

The SBV requested USAID STAR Plus to support its pilot codification of the laws and regulations under the jurisdiction of the SBV. Currently, it is almost impossible to determine what the currently valid and enforceable regulations governing the banking sector are without a long, expensive research effort by legal experts. USAID STAR Plus conducted a series of technical discussions with the legal team at the SBV and engaged a private database company to work with the SBV on this exercise. The effort has enjoyed strong support from the leadership of the SBV and the SBV's legal team. The structure of the "Banking Code" has now been agreed upon. In FY 2012, the team will work with the law database company to complete the exercise of determining what the currently valid and enforceable legal provisions are for the SBV. A similar exercise may be undertaken for the Ministry of Finance after the SBV process has been perfected.

Stronger Regulatory Framework for the Capital Market

In response to the request of the SSC, USAID STAR Plus supported a mission by Mr. Robert Strahota in May 2011. During this time, he worked intensively with the technical staff and leadership of the SSC to review and comment on numerous draft regulations. The final review workshop was conducted and chaired by the Chairman Vu Bang with the participation of representatives from the State Securities Commission, the Ministry of Finance, the Ministry of Justice, the Ministry of Planning and Investment and the Office of the Government. A number of Mr. Strahota's recommendations were included in the final rules, which addressed several important deficiencies and promoted healthier development of the capital market.

4. Macroeconomic Foundation for Growth

Macroeconomic stabilization

Probably the most difficult development challenge for Vietnam in FY 2011 was the high rate of inflation, which reached 22% per annum at one point. The Government responded to this challenge quickly and effectively by issuing Resolution 21 in February 2011. The Resolution outlines a concrete action plan to fight inflation. USAID STAR Plus undertook several activities to support the Government's efforts to implement Resolution 21. USAID STAR Plus undertook several research efforts on behalf of the OOG concerning the conduct of monetary policy, short-term and long-term measures to control inflation. USAID STAR Plus made a number of presentations and shared the research with agencies as the State Bank of Vietnam, the Ministry of Planning and Investment, the National Assembly and the National Financial Supervision Committee.

The Office of the Government reported that the USAID STAR Plus research reports were shared with leaders at the highest levels of the Government and many of our recommendations were adopted. There is a lag between the imposition of new policy measures and measureable changes in economic performance, but early indicators suggest that inflation is declining from double digit levels earlier in the year.

Monetary and Fiscal Policy Training

USAID STAR Plus conducted a number of on-the-job training efforts on financial programming for the staff of the MPI, the National Assembly and the SBV to enable them to conduct medium-term planning for the economy. The training was built on the basic IMF financial programming tools, but they have been customized to better fit Vietnam. The MPI reported that the training was very helpful. They said they used their new skills and knowledge immediately to prepare the five-year plan. All of the data and cases used in the training are from Vietnam and closely resemble the current economic situation. Some tables were submitted to the Prime Minister and served as the basis for discussion in the Government at the highest levels. The Ministry of Planning and Investment also asked USAID STAR Plus to provide reports on the impact of international development on Vietnam economy and policy implication. Those reports were shared with a limited audience of Vietnamese officials. The training provided to date had an immediate impact on medium-term fiscal and monetary policy formulation. The training provided to the National Assembly has provided People's Deputies with new tools to exercise their oversight role more effectively.

The Quest for a New Economic Growth Model

In their efforts to bring inflation under control, policy makers and researchers in Vietnam often cited the need for restructuring the economy, changing the growth model or moving up the value chain by developing supporting industry. Their interest in these approaches was strongly supported by some foreign advisors, particularly those from Japan. USAID STAR Plus contributed to this discussion by producing two research papers on growth models and supporting industries. These papers were presented at several workshops and shared with policy makers. The papers basically argued that Vietnam should focus on its comparative advantages. Over the past decade or so, there has been a lot written about improving a nation's competitive advantage. It is important to recognize that every country has a comparative advantage in something at any given point in time, but only firms have a competitive advantage. The concept of competitive advantage at the national level, as popularized by Professor Michael Porter and others at Harvard Business School, may lead policy makers to adopt a strategy of picking winners. Although this idea is popular among some donors and international experts, the evidence is overwhelming that this is a very bad policy choice and will lead to less than optimal return on investment. While the need for improving economic efficiency, competitiveness and performance is clear, Vietnam should not lose sight of the need for continuing international economic integration and export driven industrialization as this underlines the success of all "economic tigers" in the region. The papers, which are complementary, argued against the "picking winners" approach and stressed the need for reforms to create a transparent and conducive business environment.

Early Warning System

The State Bank of Vietnam is developing an early warning system (EWS) to alert them to impending financial problems so that timely policy measures can be adopted to mitigate any adverse effects. The EWS is based on input and comments provided under USAID STAR II. USAID STAR Plus, from time to time, responded to queries

from the SBV on the design of the system. The Project also shared international experiences in this area with the SBV. In response to a request from the MPI, USAID STAR Plus also provided training on the design of an early warning system.

5. Rule of Law

Legal Education

A major focus of USAID STAR Plus building the human resources to strengthen the rule of law. In FY 2011, USAID STAR Plus supported the Hanoi Law University's efforts to establish a new, 4-year program to produce international trade lawyers. The program benefited from technical assistance provided by USAID in the form of advice on the curriculum by international and local experts and teaching materials on legal English. A number of U.S. experts, including the Dean of the University Of San Francisco School Of Law, shared their experience in running law schools and teaching law with the faculty of Hanoi Law University. The new program was launched in September 2011 with an intake of 150 students. USAID STAR Plus will continue to work with Hanoi Law University to help ensure the success of this important pilot program.

USAID STAR Plus supported the MOJ's Judicial Academy to conduct several workshops on the U.S. legal education system, experiences in running law schools and clinics, the organization of bar exams, the training of judges and use of the mediation by courts. The Academy greatly appreciated the assistance, saying it provided very useful information that will be considered in improving the Academy's future programs for lawyers and judges.

In coordination with the EU-funded MUTRAP II program, USAID STAR Plus trained approximately 80 students from the Diplomatic Academy of Vietnam on World Trade Organization law over nine months. The feedback from the students indicated a high level of satisfaction with the course and strong demand for more interactive (non-traditional) teaching methods.

Alternative Dispute Settlement

USAID STAR Plus supported the MOJ to conduct a training on new Law and Decree on Commercial Arbitration. The new Law and Decree include important changes regarding competence of arbitration in disputes resolution, the "arbitration clause [agreement]", and access to the Vietnamese market for foreign arbitration [centers] per WTO commitments, void arbitration agreements, qualification of arbitrators, the right to apply some provisional measures and to collect evidence, and enforcement of arbitration awards. Representatives from some businesses, private lawyers, and arbitrators expected the MOJ and SPC to provide guidelines for some provisions of the Law on Commercial Arbitration (LCA) relating to the application of provisional measures, the cooperation of the court and other agencies and some terms. Representatives from the MOJ and the SPC promised to work closely with each other to order to develop a Supreme People's Court resolution on implementation of the LCA. The Supreme People's Court expects to release this resolution by the end of CY 2011.

Mediation

With assistance from USAID STAR II, the Law on Arbitration was developed and passed by the National Assembly. However, Vietnam lacks a legal framework for mediation as a means of resolving commercial disputes. Currently, there are provisions in different laws and decrees covering mediation in labor, family and marital disputes. There is also mediation at grassroots level, but not commercial mediation. To address this shortcoming, USAID STAR Plus supported the Ministry of Justice in conducting surveys in different provinces to see how mediation/commercial mediation work in practice. This information is being used to prepare a new legal framework to support widespread use of mediation to resolve commercial disputes.

USAID STAR Plus also supported the Ministry of Justice in conducting a workshop on mediation. The workshop was attended by people from different agencies (including the Office of the Government, the Supreme People's Court, the Ministry of Justice, Hanoi People's Court, Vietnam Lawyers Association, the Departments of Justice from several Northern provinces, commercial banks, law firms, businesses and the Hanoi Law University. Judge Clifford Wallace, the former Chief Judge of the U.S. 9th Circuit Court of Appeals, gave a presentation on the U.S. and international rules and practices. He also spoke of his Court's experience with mediation and conciliation, including distance mediation for remote Pacific islands and mountainous areas of the United States. Judge Wallace noted that the use of mediation has not only reduced his court's case load by over 1,000 cases per year, it has also greatly increased citizens' satisfaction with the quality of justice provided by the Court. In addition to Judge Wallace, Vietnamese experts delivered three other papers introducing the U.K., French and Japanese commercial mediation systems. Ms. Minh, Deputy Director of the Judicial Assistance Department (MOJ) emphasized the importance of mediation and other forms of ADR in settlement of commercial disputes and outlined the MOJ's plans to create a legal foundation for commercial mediation in Vietnam.

Participants from the Supreme People's Court said that the enforcement of mediation agreements is still weak. They asked for the MOJ's attention to this issue. Several participants suggested to the Ministry of Justice that mediation should be included as required subject for both law school students and the Judicial Academy.

Research Paper on Criminal Procedure Process

Former Federal prosecutor and private defense attorney, Richard Shine, completed a 90-page report on the Federal criminal procedure system in the United States. The report was subsequently translated into Vietnamese and provided to the Supreme People's Procuracy (SPP). The paper will be discussed at a seminar to be held in Hanoi in late 2011 on the criminal procedure models of Russia, China, Korea, France, Japan, Italy and the United States. The lessons learned from an examination of the different models will be used to amend the current Criminal Procedure Code.

III. Lessons Learned and Project Implementation Challenges

As noted earlier, it took a very long time to obtain the Government of Vietnam's approval for what was essentially a continuation of a project that had already been working very successfully for nine years. During this time the project was in stand-by mode. The Project managed to provide limited technical assistance to Vietnamese counterparts and worked with MOJ and USAID to obtain the necessary approvals. The risks associated with undertaking technical assistance activities without formal approvals were extremely high, especially since day-to-day oversight of the Project had been transferred from the OOG to the MOJ. USAID STAR Plus focused on internal, low profile activities, such as research to share with the Vietnamese counterparts on programs supported by the Vietnamese and other donors.

The pace of activity increased tremendously toward the end of the fiscal year. The new Steering Committee has been established and authorized a Project Management Unit (PMU) to work with the Project on a daily basis. The Project Office and the PMU have been working cooperatively to complete the Project Document, Workplan and Action Plan. Any new requests now need to be screened by the PMU and later approved by the Steering Committee. As the Steering Committee and the PMU are located in the MOJ, it is easier for the MOJ to submit and get approval from the PMU and Steering Committee. USAID STAR Plus ended up supporting many more activities from MOJ than activities from other ministries. While the MOJ activities are worthwhile, the percentage of USAID STAR Plus support that is benefitting the MOJ is dramatically higher than was the case under USAID STAR I and USAID STAR II. Some counterparts, such as the SPC, SPP and the National Assembly have expressed unhappiness with the current arrangement which requires that a separate, independent branch of the Government seek approval from a department in one ministry. It is likely that the current structure is creating significant opportunity costs.

As the Project is in full operational mode, the Project Office will need to move quickly to implement approved activities. It is best to facilitate this process with timely approval and good communications to minimize the burden of reporting and justification.

During the first year of operation, there a few personnel changes were made. Jason Singer, DAI's Project Technical Leader (backstop) in Bethesda left DAI to return to USAID as a Foreign Service Officer. He was replaced by Anne Simmons-Benton, a former USAID official with extensive international trade experience. Dr. Phan Tra left the project at the end of August 2011 to accept a faculty position at the International University in Ho Chi Minh City. She will, however, remain as a part-time consultant to the project. Her replacement, Lan, is currently working at Mekong Economics, but she will join the Project team in November 2011. In May 2011, we added a Chief Accountant, Mrs. Nhan. Since joining USAID STAR Plus she has been given new responsibilities as Financial Controller to ensure strong control over Project finances.

ANNEX 1: MONTHLY REPORTS

Note: The USAID STAR II Project was granted a 30-day, no-cost extension on September 30, 2010, so USAID STAR II and USAID STAR Plus overlapped for one month. All activities for USAID STAR Plus for October 2010 were reported under the USAID STAR II Project.

MONTHLY REPORT FROM THE USAID SUPPORT FOR TRADE ACCELERATION PLUS PROJECT NOVEMBER 2010

Legislative Function and Processes

- A detailed report on the Eco Tax Law and the Decree on Greenhouse Gas Emissions was sent to the Ministry of Finance and the National Assembly for consideration prior to commencement of the National Assembly debate on these subjects.

Trade and Investment Enabling Environment

- STAR Plus staff, USDA Foreign Commercial Service, Monsanto and Food and Agriculture Export Alliance discussed the current state of legislation related to food labeling requirements, animal health laws and related legislation. All activities in this area are on hold pending approval of the STAR Plus Project Document by the Government of Vietnam, and approval of a workplan by an entity not yet identified.
- STAR Plus staff, USDA, Embassy Econ Section and the Foreign Commercial Service met to discuss priorities for STAR Plus. Econ subsequently provided a list of possible areas of assistance needed for the Trans Pacific Partnership. List was very general and we are awaiting further guidance from USTR.
- STAR Plus provided materials to the Ministry of Justice on direct application of provisions related to WTO commitments that the MOJ insisted they must have before the end of November. Because the material had been prepared using STAR II resources, no approval from the Ministry of Justice's International Cooperation Department was deemed to be necessary.
- Software developed under STAR II that enables the Customs Department to provide up-to-date information on tariffs on-line was formally accepted. The Customs Department is very interested further assistance to maximize the utility of this software, but work has been suspended pending approval of the STAR Plus Project Document and workplan.

Financial Sector Enabling Environment and Fiscal and Monetary Policy

- Discussions were held with the State Securities Commission regarding a draft circular and a draft decree on public offerings. STAR Plus experts are researching the issue in anticipation of Ministry of Justice approval to work with the State Securities Commission on this issue.

Other Issues

- Informal meetings were held with the Office of the Government, Ministry of Finance, National Assembly, Supreme People's Court, Supreme People's Procuracy, Ministry of Science and Technology, Ministry of Agriculture and Rural Development Ministry of Culture, Tourism and Sports, intellectual property rights holders and others to gauge their interest in working with STAR Plus. All of the organizations expressed great interest and enthusiasm for working with STAR Plus and most had long lists of activities that fell within the categories outlined in the Memorandum of Intent signed by USAID and MOJ in July 2010. However, most organizations reported they have not seen the Official Letter sent by the MOJ that had a deadline of November 29, 2010 for receipt of requests. Several key counterparts expressed great unhappiness with the need to work through the International Cooperation Department of the Ministry of Justice instead of with the Office of the Government or the Steering Committee, as had been the practice for nine years. This includes departments within the Ministry of Justice.

Rule of Law

- Meetings were held with Mr. Khai of the Legal Department of the Office of the Government (OOG) to discuss requests from various ministries for assistance on codification. OOG requested assistance from STAR Plus to support a workshop on codification in December, but the request was turned down due to the fact that project approval is still pending. A counter offer to have the VNCL project conduct a workshop was rejected because that project has never been approved either.
- STAR Plus staff met with Mr. Huy Do of the California Bar Association in Ho Chi Minh City to discuss the possibility of fostering exchanges on matters of mutual interest to the legal community. No specific agreements were reached, but both sides agreed to stay in touch.

VISITING INTERNATIONAL EXPERTS

Who	When	To Do What
Virginia Tauss	November 13-28	Customize project management software (TAMIS) for STAR Plus project. Train staff and USAID on use of TAMIS.
Jason Singer	November 5-13	Assist with launch of STAR Plus.

UPCOMING EVENTS

Activities/Events	Date	Place	Objective
American Chamber of Commerce roundtable discussion of legal reform efforts to improve the business environment (with a special emphasis on STAR I and STAR II activities). Commission.	December 16	HCMC	Raise awareness of USAID activities to improve the business environment over the past 9 years.

**MONTHLY REPORT FROM THE USAID SUPPORT FOR TRADE
ACCELERATION PLUS PROJECT
DECEMBER 2010**

Legislative Function and Processes

- STAR Plus staff made a presentation in Hue (December 28-29) to the National Assembly on the U.S. budget process. The National Assembly and UNDP financed the workshop. The National Assembly was very interested in the U.S. budget process, particularly the transparency requirements.

Trade and Investment Enabling Environment

- Reviewed preliminary requests for trade capacity building related to the Trans Pacific Partnership Agreement. No action can be taken at this time due to the lack of formal approval for the project by the GVN, but the information will be helpful in planning our post-approval activities.
- Met with IBM Vietnam to explore potential cooperation related to automated customs tracking and reporting systems and standards for seafood exports.
- Participated in the annual Vietnam Business Forum held on December 2, 2010.
- Briefed members of the business community on STAR I and STAR II efforts to improve the legal environment for business, both local and international, at American Chamber of Commerce program in Ho Chi Minh City on December 16.
- Participated in 1st Quarterly Policy Dialogue on Monitoring Law Implementation sponsored by the Ministry of Justice and the United Nations Development Program.
- Informal discussions were held with officials from Customs and Ministry of Foreign Affairs regarding their interest in receiving support under STAR Plus. Customs is very anxious to receive additional support, particularly with regard to IT systems and is interested in developing a formal cooperation mechanism with U.S. Customs.

Financial Sector Enabling Environment and Fiscal and Monetary Policy

- Prepared a presentation on Global Economic Integration for Ministry of Finance policy makers at the request of the MOF's Institute of Financial Training (TDC). Program was to be held on December 24, but MOF

withdrew their request for STAR Plus assistance on December 22 citing scheduling issues.

Rule of Law

- Informal meetings were held throughout the month with CIDA's JUDGE Project to coordinate efforts related to strengthening the justice sector. Participants included judges and prosecutors from British Columbia and Ontario.
- Prepared material for a workshop on codification with the Office of the Government to be conducted jointly with VNCI II. The workshop was subsequently called off by OOG because neither project has been formally approved by the GVN.

Other Issues

- STAR Plus staff met with representatives of the EC-MUTRAP Project and the Institute for Law and Commercial Diplomacy to discuss future collaboration.
- Meetings with Mathew Reisman of the U.S. International Trade Commission, Laurie Sherman, former STAR II consultant on telecom law and representatives of the EU-MUTRAP III project to discuss their ASEAN training program in Hanoi from December 8-10 and related developments.
- Informal meetings were held throughout the month with CIDA's JUDGE Project to coordinate efforts related to strengthening the justice sector. Participants included judges from British Columbia and Ontario.
- Informal meetings held with various counterparts to encourage them to submit requests for STAR Plus assistance to the International Cooperation Department of the Ministry of Justice. MOJ provided a preliminary, 11-page list of requests, but many counterparts' requests had not been received. These include the SPP, SPC, Ho Chi Minh Academy, STAMEQ, MOST, MOLISA, State Securities Commission, Customs and the Ministry of Finance. (Note: As a result of our efforts, all of the organizations have responded to the MOJ).
- Complete draft of the Project Document was sent to the MOJ for consideration and approval on December 24.

VISITING INTERNATIONAL EXPERTS

Who	When	To Do What
Dejan Momirvoic, IT Office, DAI Bethesda	TBD	Install and configure new server. Update Lotus Notes, install soft PBX, advise on other IT issues

Steve Parker, COP USAID/Lao LUNA Project and Lao officials.	December 9-17, 2010	Learn more about Vietnam's experience with WTO accession and the legal reforms associated with the BTA and WTO.
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UPCOMING EVENTS

Activities/Events	Date	Place	Objective
Nothing planned at this time.			

**MONTHLY REPORT FROM THE USAID SUPPORT FOR TRADE
ACCELERATION PLUS PROJECT
JANUARY 2011**

Legislative Function and Processes

- **APCA Training:** On January 26 and 27 USAID STAR Plus conducted a two-day training program for staff of the OOG's Administrative Procedure Control Agency (APCA) on basic WTO legal requirements and how they affect Vietnamese regulations and administrative procedures. Approximately 30 persons attended the course, which included case studies of actual proposed regulations recently drafted by various ministries. The participants said the material presented was exactly what they needed and they requested more training from STAR Plus at a later date.
- **E-Official Gazette:** There are currently 18 provinces using the software developed under STAR II. The Office of the Government would like to have ten more provinces operating E-Official Gazettes by the end of 2011. They have requested support from STAR Plus to achieve this target. A circular on the E-Official Gazette will be issued soon. OOG also wants to start training on the E-Official Gazette software for the whole staff of the national Official Gazette Unit soon.

Trade and Investment Enabling Environment

- **TPP Assistance:** USAID, Econ and USAID STAR Plus had a teleconference with USTR on January 11 to discuss options to support Vietnam's requests for assistance related to the Trans Pacific Partnership Agreement (TPP). In the course of the meeting, we reviewed preliminary requests for trade capacity building related to the. Two specific areas were identified for fast track assistance—a database of agricultural products for negotiators from VN and USTR and a review of Vietnam's obligations under multilateral environmental treaties and identification of any shortcomings. Both activities can be launched quickly, but we are awaiting responses from USDA, MARD and USTR.
- **Training for Young Diplomats:** Several meetings were held with Professor William Frasure of Connecticut College and representatives of MOFA to discuss a proposed follow-on program to training for young diplomats on global economic integration that was pilot tested in Hanoi and at Connecticut College in the spring of 2010. MOFA highly appreciated the pilot training and wishes to continue the program in 2011, 2012 and 2013 with approximately 15 participants each year. The bulk of the funding will come from Program 165 (GVN funds).

- **Diplomatic Academy of Vietnam:** Following a successful joint USAID/STAR II/EU-Vietnam MUTRAP III series of training programs for upper level students at the Diplomatic Academy of Vietnam in 2010, the Academy requested USAID/STAR's Andrew Stephens to present a course on WTO dispute settlement procedures. Training was been provided every Wednesday for approximately 2 ½ hours as part of our effort to build capacity to deal with global economic integration issues.
- **Economic Research and Training Agenda:** At the request of the GVN, Dr. James Riedel and Dr. Pham Tra continued their analysis of new data to address issues to be addressed in a forthcoming academic paper entitled, "Has Vietnam Followed the Trail of the Tiger?" The paper will address questions of what strategy Vietnam should adopt to move up the value chain and whether or not a "middle income trap" is a danger to Vietnam. Following detailed discussions with Dr. Riedel, we also reached tentative agreement on an economic research and training programs to be conducted under the STAR Plus project. We envision a series of 6 to 10 policy briefs on current issues for the OOG and National Assembly Deputies. In addition, we will outline a training program with the Ho Chi Minh Academy focused on provincial leaders. In a departure from the past, we will emphasize a team teaching approach in order to equip the HCMA faculty with the tools to develop their own training materials (subject to concurrence by the HCMA).
- **Provincial Integration Index:** Met with the National Committee for International Economic Cooperation (NCIEC) to discuss the development of a provincial international integration index and information system to enable NCIEC to better coordinate international economic integration policy and implementation.
- **Customs:** Initial discussions were held with officials from Customs and the Ministry of Foreign Affairs regarding their interest in receiving support under USAID's STAR Plus project. Customs is very anxious to receive additional support, particularly with regard to IT systems. Customs officials are very interested in additional assistance to upgrade the pilot, online tariff database to enable it to be integrated with the Customs portal. The software engineer who developed the pilot tariff database conducted a site visit to a Hanoi office of Vietnam Customs to gain a better understanding of existing procedures. Vietnam Customs is also very interested in developing a formal cooperation mechanism with U.S. Customs. USAID's Jay Kryk will explore this possibility with U.S. Customs in Bangkok in February 2011.

Financial Sector Enabling Environment and Fiscal and Monetary Policy

- **Financial Early Warning System:** Central Banking expert, Governor Peter Nicholl provided informal advice to the Monetary Policy Unit of the State Bank of Vietnam on how to improve the new Financial Early Warning System (FEWS) developed with assistance from USAID STAR II. The system is largely based on the FEWS used by the Reserve Bank of New

Zealand, where Mr. Nicholl was the Deputy Governor and Chief Economist for many years.

- **Pollution Taxes:** USAID STAR Plus provided advice to the Ministry of Finance on the content of a World Bank-funded study tour to the United States by GVN policy makers to learn about the U.S. to pollution taxes and greenhouse gas emission fees. Our recommendations included visits to:
 - U.S. EPA economic modeling team based in Washington D.C., that models all proposed taxes and cap and trade systems for Congress.
 - U.S. DOE Energy Information Administration (they operate the National Energy Modeling system)
 - N.E. Regional Greenhouse Gas Initiative in New York City
 - Environmental economics think tanks in Washington (Resources for the Future, Brookings Institution, American Enterprise Institute, Peterson Institute).
 - California Air Resources Board (Sacramento, CA)
 - New York Air Quality Board.

Rule of Law

- **Judicial Strengthening:** On January 10 and 11, USAID STAR Plus hosted representatives of the CIDA-funded JUDGE Project and Canadian provincial court officials from British Columbia and Ontario to exchange information on lessons learned in strengthening the judicial sector in Vietnam.
- **Intellectual Property Rights:** USAID STAR held discussions with MOST on their future assistance needs. MOST representatives said they need additional support to regularly update information on their IPR web site (developed under USAID STAR II) and to translate some material into English. We are also discussing the possibility of getting support from the U.S. Patent and Trademark Office to supplement USAID STAR Plus assistance. MOST also needs training on the new Intellectual Property Rights decree on administrative sanctions. They need the training shortly after Tet, but it is unlikely that we will have been formally approved by then.

Other Issues

- **Formal review of USAID STAR II performance:** On January 4, Mr. Pham Van Phuong, Vice Chairman of the Office of the Government and Chairman of the Steering Committee of USAID STAR II, meet with USAID and DAI to formally review the performance of USAID STAR II since 2006.

VISITING INTERNATIONAL EXPERTS

Who	When	To Do What
Dejan Momirvoic, IT Office, DAI Bethesda	March 2011	Install and configure new server. Update Lotus Notes, install soft PBX, advise on other IT issues
Steve Parker, COP, USAID/Lao PDR LUNA Project	February 2011	Meet with USAID/Washington post contract assessment team to discuss STAR I implementation experiences.
Sherman Katz, Center for the Study of the President and Congress	March 2011	Identify lessons learned from Vietnam's WTO accession process that could be useful to other nations.
Robert Strahota	April 2011	Provide inputs and advice for USAID STAR Plus workplan. Special emphasis will be placed on the technical assistance needs related to the implementing regulations for the new Securities Law.

UPCOMING EVENTS

Activities/Events	Date	Place	Objective
Awaiting project approval from the GVN before undertaking any new activities or events.			

MONTHLY REPORT FROM THE USAID SUPPORT FOR TRADE ACCELERATION PLUS PROJECT

FEBRUARY 2011

Legislative Function and Processes

- **Codification:** USAID STAR Plus prepared detailed comments to the Ministry of Justice on the proposed Ordinance on Codification. USAID STAR Plus also provided comments prepared by the Office of the Federal Register on the draft Ordinance on Codification to the Ministry of Justice.

Trade and Investment Enabling Environment

- **Animal Health Law:** A workshop was held from February 23-25 in Do Son with the drafting committee for the Animal Health Law in Do Son. Two experts from USAID STAR Plus attended. This law is very important because it will have a major impact on U.S. agricultural exports to Vietnam (currently \$1.3 billion per year).
- **SPS Training:** Preliminary discussions were held with the Plant Protection Division of the Ministry of Agriculture and Rural Development (MARD) on SPS training for provincial plant health staff.
- **Customs Modernization:** On February 21, representatives of USAID STAR Plus and USAID met with Hoang Viet Cuong, Deputy Director General of the General Department of Vietnam Customs and his staff to discuss their requests for USAID support over the next three years. Deputy Director General Cuong expressed his appreciation for past USAID support, outlined an ambitious plan for the next three years (with a heavy emphasis on IT support) and expressed a desire to develop much closer links to U.S. Customs.
- **WTO Training on Anti-Dumping:** On February 22, USAID STAR Plus representatives met with the Ministry of Industry and Trade to discuss the possibility of conducting a regional training program in Hanoi on WTO Anti-Dumping Measures aimed at officials from Cambodia, Laos and Vietnam. The program was to have been held in Cambodia, but budget problems have arisen and the Cambodians welcome the idea of holding the event in Vietnam. The program will be jointly funded by the WTO, MOIT, EU-MUTRAP with support in kind from USAID STAR Plus and pro bono support organized by STAR from several U.S. law firms. The estimated date is for this program is September or October 2011. Vietnam's MOIT and the Cambodia Ministry of Commerce have not yet indicated the final location of the WTO-sponsored portion of the training
- **Capacity Building At Ho Chi Minh Academy:** Discussions were held with the senior leadership of the Ho Chi Minh Academy regarding their

assistance needs in 2011. The Academy would like to hold a series of workshops and a formal survey to draw lessons learned from the past three years of USAID STAR support, then develop course materials and conduct training for faculty members, provincial leaders. They are also interested in two-way faculty exchanges with U.S. universities.

- **TPP Assistance:** Several discussions were held with USDA officials in Hanoi to refine the scope of work for the background paper on key agricultural products for the TPP negotiations. Discussions were also held with USTR on an assessment of Vietnam's compliance with key international environmental agreements (including CITES) to facilitate TPP negotiations. On February 16, USAID STAR Plus representatives met with VCCI discuss VCCI's assistance requests related to the Trans Pacific Partnership Agreement.
- **Diplomatic Academy of Vietnam:** On February 3 and 17, USAID STAR provided training to upper level students at the Diplomatic Academy of Vietnam on WTO dispute resolution mechanisms. This is part of an on-going effort to build capacity to deal with global economic integration issues.

Financial Sector Enabling Environment and Fiscal and Monetary Policy

- **Economic Crisis:** Dr. Pham Chi, USAID STAR Plus macro economics expert, and several other economists met with the Prime Minister for several hours on February 22 to provide advice on steps needed to avert a major economic crisis in the coming months. An announcement by the Prime Minister outlining drastic measures to control inflation, halt the devaluation of the VND and reduce government spending is expected in the next 48 hours. Dr. Chi met for over an hour with the Governor of the Central Bank of Vietnam to discuss monetary policy reforms and he briefed the National Assembly on February 23.
- **Customs:** USAID STAR Plus completed the new software program upgrade requested by Vietnam Customs. Customs, with USAID support, is translating 3,000 pages of World Customs Organizations guidelines on classification which will be added to the existing program.
- **Policy Brief:** The first in a series of Economic Policy Briefs for high level officials has been drafted and is undergoing final review. The paper is focused on Vietnam's international competitiveness.

Rule of Law

- **Ministerial Transparency Index:** USAID STAR Plus attended the VCCI program on the assessment of legal development and implementation at ministerial level (LDEA), also known as the Ministerial Transparency Index, on February 21. Attendees included representatives from the MOJ, MOF, MONRE, MOIT, the Ministry of Transportation, OOG, the Banking Association, several business associations, and economists. There seems

to be a great deal of interest in the STAR II-funded LDEA following the release of the first report for 2005-2009. This meeting focused on preparing a new survey covering 2010. It was focused on the structure of the questionnaire, list of the ministries subject to the survey and changes in the methodology based on the experience of the first report.

Other Issues

Project Approval: The STAR Plus draft project document was sent to six ministries, including the Ministry of Public Security, for comments on February 21. Comments are due by March 4.

VISITING INTERNATIONAL EXPERTS

Who	When	To Do What
Dejan Momirvoic, IT Office, DAI Bethesda	March/April 2011	Install and configure new server. Update Lotus Notes, install soft PBX, advise on other IT issues
Richard Fritz, Food and Agriculture Exporters Alliance	March 4, 2011	.Discuss progress on the Animal Health Law, Food Safety Law, the Trans Pacific Partnership Agreement, draft regulations on catfish imports and the likely impact on U.S. agricultural exports to Vietnam.
Sherman Katz, Center for the Study of the President and Congress	March 8-22, 2011	Identify lessons learned from Vietnam's WTO accession process that could be useful to other nations.
Robert Strahota	April 2011	Provide inputs and advice for USAID STAR Plus workplan. Special emphasis will be placed on the technical assistance needs related to the implementing regulations for the new Securities Law.
Jeffrey Hilsen, U.S. Consumer Product Safety Commission, Beijing	March 9, 2011	Discuss possible future cooperation between USAID STAR Plus and CPSC.

UPCOMING EVENTS

Activities/Events	Date	Place	Objective
Awaiting project approval from the GVN before undertaking any new activities or events.	TBD		
Vietnam Customs plans to hold a national conference in Da Nang in early April which will, among other things, include a presentation on the USAID-supported software.	April 2011	Da Nang	National conference of Customs Officials, including a presentation on the USAID-supported software that provides web access to detailed tariff data.
Program on international law training at Can Tho University.	March 2011	Can Tho	Discuss trends and methodologies for training on international law. The program may include acknowledgement of USAID's contribution in the form of development and publication of WTO case books (under STAR II).

MONTHLY REPORT FROM THE USAID SUPPORT FOR TRADE ACCELERATION PLUS PROJECT

March 2011

Legislative Function and Processes

- USAID STAR Plus prepared draft comments and recommendations on the proposed Ordinance on Codification (dated February 12, 2011) and submitted them to the Ministry of Justice and the Office of the Government for consideration. The OOG recommended rejecting the MOJ's draft ordinance and sent it back to the Ministry of Justice, citing concerns consistent with those raised earlier by USAID STAR Plus experts. The OOG comments were discussed at a meeting on March 9 between the MOJ and the OOG, to which USAID STAR Plus experts were invited by the MOJ. The MOJ rejected the OOG's criticisms and indicated that it would proceed to submit the draft ordinance to the Law Committee of the National Assembly for review.
- USAID STAR Plus attended a meeting with the Ministry of Justice drafting committee for the Ordinance on Codification. The Committee's draft had been rejected by the OOG and sent back for redrafting, but Ministry of Justice rejected the OOG's criticisms and will submit the draft ordinance to the Law Committee of the National Assembly for review.

Trade and Investment Enabling Environment

- Richard Fritz of the Food and Agriculture Exporters Association in Denver met with USAID STAR Plus to discuss progress on the Animal Health Law, Food Safety Law, the Plant Protection Law, the Trans Pacific Partnership Agreement, draft regulations on seafood imports and the likely impact on US agricultural exports to Vietnam.
- On March 4, USAID STAR Plus sent written comments on draft 7 of the Veterinary Law to the Department of Animal Health.
- USAID STAR Plus supported the Customs Department to upgrade the online tariff database to make it available to the public. The software has been formally accepted by Customs, but their IT Department will need to test it for one month before it is formally launched.
- Discussions were held with the Plant Protection Division of the Ministry of Agriculture and Rural Development (MARD) on SPS training for provincial plant health staff
- USAID STAR Plus staff met with the Management Training Institute of the Ministry of Science and Technology on March 11 to discuss their request for a training of trainers program on Intellectual Property Rights

enforcement. The Institute was established in 1996 and had trained over 30,000 people. No firm commitments were made due to the project's unapproved status.

- USAID STAR Plus provided training on agricultural negotiations in the context of the WTO Doha round on March 16 and March 23 at the Diplomatic Academy of Vietnam. This was part of an on-going capacity building effort at the Academy
- USAID STAR Plus met with Professor Rolf Jensen and Professor William Frasure of Connecticut College to discuss plans for the upcoming Ministry of Foreign Affairs training program in Hanoi and New London. Professor Frasure also agreed to provide lectures to the Ho Chi Minh Academy, the Diplomatic Academy of Vietnam and the Development Strategy Institute on a pro bono basis. Subsequently, Professor Frasure provided training on the U.S. political system and how it affects trade policy to a group of 40 students at the DAV on March 30. The DAV expressed strong interest in developing stronger ties to Connecticut College and the possibility of regular student and faculty exchanges. The dates of the others lectures are to be determined.
- USAID STAR Plus continued to provide training on agricultural negotiations in the context of the WTO Doha round on Wednesday, March 23 at the Diplomatic Academy of Vietnam. This is part of an on-going capacity building effort at the Academy.
- USAID STAR Plus staff have begun to translate documents for the next round the Trans Pacific Partnership (TPP) Free Trade Agreement at the request of the Embassy. So far, three TPP position papers (Intellectual Property Rights, E-Commerce and Telecommunications) have been translated.
- Discussions are underway with David Brooks, an expert on environmental issues formerly with the USTR to have him undertake an assessment of Vietnam's implementation of the relevant multilateral environmental agreements and to explain the environmental chapter of an FTA to Vietnamese officials and stakeholders. USTR has indicated this is a high priority for the TPP negotiations.
- The WTO Center in Ho Chi Minh City invited USAID STAR Plus to attend a program the Center organized from March 24-25. USAID STAR Plus, as invitees, not sponsors, gave presentations on anti-dumping and dispute settlement procedures in the WTO context. Mr. James Lockett of Baker & McKenzie also participated as a lecturer on dispute settlement. Mr. Carey Zesiger of HCMC lectured on Corporate Social Responsibility in the textile and garment industries. The event was attended by more than 40 lawyers from the public and private sectors in HCMC. The WTO Center indicated that they are very

interested in working with USAID STAR Plus to invite more American speakers on a range of topics related to Vietnam's global economic integration.

- Can Tho University celebrate the 45th anniversary of the University's founding on March 30. The University was built with the support of USAID/South Vietnam and still maintains close ties to Michigan State University. The Law School conducted a program on new trends in international law education beginning on March 30. USAID STAR Plus staff provided a short training program on the proper use of case studies in legal education using the first ever first book of WTO law cases in Vietnamese, the development of which was supported by USAID STAR II.
- Professor William Frasure of Connecticut College provided training on the U.S. political system and how it affects trade policy to a group of 40 students at the Diplomatic Academy of Vietnam on March 30. The Law Department also expressed strong interest in developing stronger ties to Connecticut College and the possibility of regular student and faculty exchanges.
- USAID STAR Plus translated three TPP position papers (Intellectual Property Rights, E-Commerce and Telecommunications) at the request of the American Embassy.
- USAID STAR participated in the "Second Legal Policy Dialogue: Administrative Procedure Law" in Hanoi on March 29. The program was organized by the Ministry of Justice with support from the UNDP.

Financial Sector Enabling Environment and Fiscal and Monetary Policy

- USAID STAR Plus been working together with Prof. James Riedel – Senior economic expert on the two research papers, namely "On Vietnam's national competitiveness" and "Vietnam macroeconomic instability: sources and policy response". (Expected) Outcomes of these research papers are the policy briefs submitted to the OOG, a background paper for the research projected requested by the SBV, presentations at seminar activities requested by DS/MPI in the coming weeks.
- The Economic Committee of the National Assembly and the Viet Nam Academy of Social Sciences, with support from the UNDP, held a 2-day workshop on medium and long-term challenges to economic growth in Vietnam in Can Tho from March 10-11. USAID STAR Plus presented two papers at the workshop, one entitled "Managing Speculation and another on a simplified financial forecasting tool using multiple regression analysis. Approximately 100 persons attended the event. These papers were also shared with and appreciated by the OOG, Financial Supervision Agency and the State Bank of Vietnam.

- USAID STAR Plus staff met with key officials of the Development Strategy Institute (DSI) of the Ministry of Planning and Investment (MPI) to discuss their request for USAID assistance. DSI was not a counterpart under USAID STAR I or USAID STAR II, but they have had extensive interaction with a USAID STAR Plus advisor, Dr. Jim Reidel, through UNDP programs. The DSI is keenly interested in:
 - Development of the econometric research skills of the younger staff.
 - Training in financial forecasting techniques
 - Training of provincial officials on global economic integration.
- USAID STAR Plus staff met with the State Bank of Vietnam to discuss their request for assistance in the coming year. The Bank identified an immediate need for a review of the legal normative documents governing their activities to ensure they are consistent with international best practices and reorganization and systemization of the SBV's own legal normative documents. They also requested assistance from central banking experts and macroeconomic experts to assist them in implementing the Government's new Resolution 11 and in helping the Bank deal with challenges posed by increased economic integration. The third area when they asked for support is in medium-term training of the Bank's technical staff.

Rule of Law

- USAID STAR Plus prepared draft comments and recommendations on the proposed Ordinance on Codification (dated February 12, 2011) and submitted them to the Ministry of Justice and the Office of the Government for consideration. The OOG recommended rejecting the MOJ's draft ordinance and sent it back to the Ministry of Justice, citing concerns consistent with those raised earlier by USAID STAR Plus experts. The OOG comments were discussed at a meeting on March 9 between the MOJ and the OOG, to which USAID STAR Plus experts were invited by the MOJ. The MOJ rejected the OOG's criticisms and indicated that it would proceed to submit the draft ordinance to the Law Committee of the National Assembly for review.
- Two candidates (Judge Clifford Wallace and Mr. Richard Shine) have expressed a willingness to prepare a paper on the United States Criminal Procedure Model (CPM) that has been requested by the Supreme People's Procuracy. Several other countries approaches are also being considered, but an EU-funded project will be responsible for those studies. USAID STAR Plus will present both names and request the SPP to choose one. This is a very important issue for the TPP negotiations related to intellectual property rights protection, as well as meeting Vietnam's WTO and BTA requirements.

Other Issues

- Sherman Katz, a trade lawyer and researcher from the Center for Study of the President and Congress, a Washington, D.C. think tank, arrived on March 8 to undertake an investigation of lessons learned from Vietnam's WTO accession process that could be of benefit to countries currently seeking to join the WTO. USAID STAR Plus facilitated his trip and shared our views and comments, but we did not fund his research.

VISITING INTERNATIONAL EXPERTS

Who	When	To Do What
Dejan Momirvoic, IT Office, DAI Bethesda	March/April 2011	Install and configure new server. Update Lotus Notes, install soft PBX, advise on other IT issues
Richard Fritz, Food and Agriculture Exporters Alliance	March 4, 2011	.Discuss progress on the Animal Health Law, Food Safety Law, the Trans Pacific Partnership Agreement, draft regulations on catfish imports and the likely impact on U.S. agricultural exports to Vietnam.
Sherman Katz, Center for the Study of the President and Congress	March 8-22, 2011	Identify lessons learned from Vietnam's WTO accession process that could be useful to other nations.
Robert Strahota	April 2011	Provide inputs and advice for USAID STAR Plus workplan. Special emphasis will be placed on the technical assistance needs related to the implementing regulations for the new Securities Law.

UPCOMING EVENTS

Activities/Events	Date	Place	Objective
Awaiting project approval from the GVN before undertaking any new activities or events.	TBD		
Vietnam Customs plans to hold a national conference in Da Nang in early April which will, among other things, include a presentation on the USAID-supported software.	May 2011	Da Nang	National conference of Customs Officials, including a presentation on the USAID-supported software that provides web access to detailed tariff data.
Program on international law training at Can Tho University.	March 2011	Can Tho	Discuss trends and methodologies for training on international law. The program may include acknowledgement of USAID's contribution in the form of development and publication of WTO case books (under STAR II).

MONTHLY REPORT FROM THE USAID SUPPORT FOR TRADE ACCELERATION PLUS PROJECT

March 2011

Legislative Function and Processes

- USAID STAR Plus prepared draft comments and recommendations on the proposed Ordinance on Codification (dated February 12, 2011) and submitted them to the Ministry of Justice and the Office of the Government for consideration. The OOG recommended rejecting the MOJ's draft ordinance and sent it back to the Ministry of Justice, citing concerns consistent with those raised earlier by USAID STAR Plus experts. The OOG comments were discussed at a meeting on March 9 between the MOJ and the OOG, to which USAID STAR Plus experts were invited by the MOJ. The MOJ rejected the OOG's criticisms and indicated that it would proceed to submit the draft ordinance to the Law Committee of the National Assembly for review.
- USAID STAR Plus attended a meeting with the Ministry of Justice drafting committee for the Ordinance on Codification. The Committee's draft had been rejected by the OOG and sent back for redrafting, but Ministry of Justice rejected the OOG's criticisms and will submit the draft ordinance to the Law Committee of the National Assembly for review.

Trade and Investment Enabling Environment

- Richard Fritz of the Food and Agriculture Exporters Association in Denver met with USAID STAR Plus to discuss progress on the Animal Health Law, Food Safety Law, the Plant Protection Law, the Trans Pacific Partnership Agreement, draft regulations on seafood imports and the likely impact on US agricultural exports to Vietnam.
- On March 4, USAID STAR Plus sent written comments on draft 7 of the Veterinary Law to the Department of Animal Health.
- USAID STAR Plus supported the Customs Department to upgrade the online tariff database to make it available to the public. The software has been formally accepted by Customs, but their IT Department will need to test it for one month before it is formally launched.
- Discussions were held with the Plant Protection Division of the Ministry of Agriculture and Rural Development (MARD) on SPS training for provincial plant health staff

- USAID STAR Plus staff met with the Management Training Institute of the Ministry of Science and Technology on March 11 to discuss their request for a training of trainers program on Intellectual Property Rights enforcement. The Institute was established in 1996 and had trained over 30,000 people. No firm commitments were made due to the project's unapproved status.
- USAID STAR Plus provided training on agricultural negotiations in the context of the WTO Doha round on March 16 and March 23 at the Diplomatic Academy of Vietnam. This was part of an on-going capacity building effort at the Academy
- USAID STAR Plus met with Professor Rolf Jensen and Professor William Frasure of Connecticut College to discuss plans for the upcoming Ministry of Foreign Affairs training program in Hanoi and New London. Professor Frasure also agreed to provide lectures to the Ho Chi Minh Academy, the Diplomatic Academy of Vietnam and the Development Strategy Institute on a pro bono basis. Subsequently, Professor Frasure provided training on the U.S. political system and how it affects trade policy to a group of 40 students at the DAV on March 30. The DAV expressed strong interest in developing stronger ties to Connecticut College and the possibility of regular student and faculty exchanges. The dates of the other lectures are to be determined.
- USAID STAR Plus continued to provide training on agricultural negotiations in the context of the WTO Doha round on Wednesday, March 23 at the Diplomatic Academy of Vietnam. This is part of an on-going capacity building effort at the Academy.
- USAID STAR Plus staff have begun to translate documents for the next round of the Trans Pacific Partnership (TPP) Free Trade Agreement at the request of the Embassy. So far, three TPP position papers (Intellectual Property Rights, E-Commerce and Telecommunications) have been translated.
- Discussions are underway with David Brooks, an expert on environmental issues formerly with the USTR to have him undertake an assessment of Vietnam's implementation of the relevant multilateral environmental agreements and to explain the environmental chapter of an FTA to Vietnamese officials and stakeholders. USTR has indicated this is a high priority for the TPP negotiations.
- The WTO Center in Ho Chi Minh City invited USAID STAR Plus to attend a program the Center organized from March 24-25. USAID STAR Plus, as invitees, not sponsors, gave presentations on anti-dumping and dispute settlement procedures in the WTO context. Mr. James Lockett of Baker & McKenzie also participated as a lecturer on dispute settlement. Mr. Carey Zesiger of HCMC lectured on Corporate

Social Responsibility in the textile and garment industries. The event was attended by more than 40 lawyers from the public and private sectors in HCMC. The WTO Center indicated that they are very interested in working with USAID STAR Plus to invite more American speakers on a range of topics related to Vietnam's global economic integration.

- Can Tho University celebrate the 45th anniversary of the University's founding on March 30. The University was built with the support of USAID/South Vietnam and still maintains close ties to Michigan State University. The Law School conducted a program on new trends in international law education beginning on March 30. USAID STAR Plus staff provided a short training program on the proper use of case studies in legal education using the first ever first book of WTO law cases in Vietnamese, the development of which was supported by USAID STAR II.
- Professor William Frasure of Connecticut College provided training on the U.S. political system and how it affects trade policy to a group of 40 students at the Diplomatic Academy of Vietnam on March 30. The Law Department also expressed strong interest in developing stronger ties to Connecticut College and the possibility of regular student and faculty exchanges.
- USAID STAR Plus translated three TPP position papers (Intellectual Property Rights, E-Commerce and Telecommunications) at the request of the American Embassy.
- USAID STAR participated in the "Second Legal Policy Dialogue: Administrative Procedure Law" in Hanoi on March 29. The program was organized by the Ministry of Justice with support from the UNDP.

Financial Sector Enabling Environment and Fiscal and Monetary Policy

- USAID STAR Plus been working together with Prof. James Riedel – Senior economic expert on the two research papers, namely "On Vietnam's national competitiveness" and "Vietnam macroeconomic instability: sources and policy response". (Expected) Outcomes of these research papers are the policy briefs submitted to the OOG, a background paper for the research projected requested by the SBV, presentations at seminar activities requested by DSI/MPI in the coming weeks.
- The Economic Committee of the National Assembly and the Viet Nam Academy of Social Sciences, with support from the UNDP, held a 2-day workshop on medium and long-term challenges to economic growth in Vietnam in Can Tho from March 10-11. USAID STAR Plus presented two papers at the workshop, one entitled "Managing Speculation and another on a simplified financial forecasting tool using multiple regression analysis. Approximately 100 persons attended the event. These papers were also

shared with and appreciated by the OOG, Financial Supervision Agency and the State Bank of Vietnam.

- USAID STAR Plus staff met with key officials of the Development Strategy Institute (DSI) of the Ministry of Planning and Investment (MPI) to discuss their request for USAID assistance. DSI was not a counterpart under USAID STAR I or USAID STAR II, but they have had extensive interaction with a USAID STAR Plus advisor, Dr. Jim Reidel, through UNDP programs. The DSI is keenly interested in:
 - Development of the econometric research skills of the younger staff.
 - Training in financial forecasting techniques
 - Training of provincial officials on global economic integration.
- USAID STAR Plus staff met with the State Bank of Vietnam to discuss their request for assistance in the coming year. The Bank identified an immediate need for a review of the legal normative documents governing their activities to ensure they are consistent with international best practices and reorganization and systemization of the SBV's own legal normative documents. They also requested assistance from central banking experts and macroeconomic experts to assist them in implementing the Government's new Resolution 11 and in helping the Bank deal with challenges posed by increased economic integration. The third area when they asked for support is in medium-term training of the Bank's technical staff.

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MONTHLY REPORT FROM THE USAID SUPPORT FOR TRADE ACCELERATION PLUS PROJECT

May 2011

Legislative Function and Processes

- **National Assembly Strengthening:** USAID STAR Plus met with the Law Committee of the National Assembly on May 23 to discuss their requests for assistance over the next 16 months. The Committee outlined an ambitious schedule for the next 5 years (the N.A. tenure) in the broad areas of law development and law implementation. Of particular interest were requests for USAID STAR Plus support on the Law on supervision of the National Assembly, advice on how to use the “power of the purse” to more effectively supervise the Government, the use of formal hearings that involve ministers and other high level officials, reorganization of the judiciary, modification of the Law on Laws, and codification. The Committee was particularly interested in support from USAID STAR Plus on codification. They are aware of the Ministry of Justice view, but they want to start work no later than early June. They indicated that they have the support of the Steering Committee on this matter. They also said they strongly favor the U.S. approach to codification over those used in Europe and elsewhere.

Trade and Investment Enabling Environment

- **Customs Reforms:** The Customs Department completed the review and testing of the upgraded online database on tariffs and customs regulations that was developed with the support for USAID STAR Plus. It is accessible to the public at the customs website:

<http://www.customs.gov.vn/Lists/BieuThue/TraCuunew.aspx>

This is the first comprehensive online database on tariff and customs regulations (including operational, currently valid official letters). The database features all current MFN and FTA tariffs of Vietnam. Customs will work with USAID STAR Plus to conduct training for officials and businesses on how to use the software.

- **Training for Young Diplomats:** The second annual training program on international economic integration for selected staff of the Ministry of Foreign Affairs began on Tuesday, May 23 at MOFA headquarters. Like last year, MOFA has selected 15 young diplomats to participate in the program. They are all at the Deputy Director level. The group will spend two weeks in Hanoi with lectures given by faculty of Connecticut College and USAID STAR Plus experts. After that, they will spend three weeks in Connecticut undergoing intensive training. The current plan is to provide this training in 2012 and 2013. The Government of Vietnam will cover all international travel expenses.

- **Project 16:** Work has begun on a review of 16 laws that are scheduled to be amended and are of major concern to private industry. They include: the Law on Laws, the Law on Enterprise, the Law on Investment, the Law on Commerce, the Law on Tendering, the Intellectual Property Law, the Civil Code, the Law on Value Added Tax, the Law on Corporate Income Tax, the Law on Tax Management, the Law on Accounting, the Law on Construction, the Law on Customs, the Land Law, the Law on Real Estate, the Law on Environmental Protection, and the Marine Law. The goal is to complete the initial phase by June 1, 2011. In addition to members of the USAID STAR Plus team, experts from USAID STAR Partners Leadco, Baker & McKenzie and KPMG Vietnam are participating.
- **Agricultural Trade:** USAID STAR Plus staff met with Michael Riedel, USDA Agricultural Attached from HCMC, Mr. Richard Fritz and two veterinary health experts, Mr. Larry Stobbs and Dr. Boggy Acord, from the Food and Agriculture Exporters Alliance. The discussion focused largely on joint efforts to assist the Animal Health Law drafting team. The team's assessment of Vietnam's current capacity and practices with respect to animal health (and human health risks) was not encouraging, but there appear to be opportunities to begin to address some of the most urgent issues.
- **Legal Education:** USAID STAR+ project met with the Hanoi Law University on May 27 to discuss our technical assistance to improve legal education at the Hanoi Law University. The following points were agreed upon:
 - Capacity building for teaching International Trade and Business Law at Hanoi Law University by (i) training of trainers (especially on using WTO and international business cases); (ii) developing WTO cases and case commentary for teaching; (iii) co-teaching where appropriate and finalizing International Trade and Business Law Curriculum for Bachelor degree; and (iv) brokering cooperation with US universities; and
 - Capacity building for legal English training by (i) training teachers of legal writing and drafting; and (ii) providing text books as appropriate. ,
- USAID STAR+ Project met with the Ministry of Justice Judicial Academy, which provides a 6-month training program for lawyers before they are admitted to practice law, training for arbitrators and judges. We tentatively agreed to support them to improve their curriculum and skills/knowledge of their instructors and support them develop a center for international trade lawyers, which was discussed with the MOJ in April.
- **Civil Code (Contract Law, IPR and Property Rights ++):** USAID STAR+ met with MOJ's Civil and Economic Legislation to discuss TA for reforming the Civil Code to lay a stronger ground for commercial activities and meeting WTO/BTA commitments. USAID STAR I worked on this and we could not convince Vietnam to adopt all our recommendations and this time is the opportunity to provide input to this process. We do not intend to work as intensively as we did in 2003-2005 on this but we want to take the

opportunity to provide our perspective on this important legislation which the new crew at the MOJ said that they would like to see more fundamental changes. We plan to engage Professor Claude Rohwer to work with the MOJ to conceptualize the necessary changes with proper grounding to legal practices in Vietnam and the globe.

- **Accession to the Vienna Convention:** MOIT asked for USAID STAR+ project to support the accession to the Vienna Convention on the International Sales of Goods. Accession to this Convention will significantly reduce the uncertainty of international sales of goods with Vietnamese partners as the Convention will provide internationally accepted default provisions for these contracts. This will aid the trade in goods with Vietnam and improve the legal system significantly.
- **Capacity Building—Ho Chi Minh Academy:** On May 12 and 13, USAID STAR Plus conducted training for 130 persons from the law faculty and provincial training schools of the Ho Chi Minh Academy for Political and Administrative Development in Hanoi. Topics included transparency, the right of appeal with regard to administrative decisions and an introduction to the case study method for training on WTO law. The USAID VNCI II project also provided training in regulatory impact assessment (RIA).
- **Trans Pacific Partnership Free Trade Agreement:** Mr. Jay Eisenstat of the Washington law firm, Miller & Chevalier arrived on May 10 to conduct TPP-related capacity building training in Hanoi and Ho Chi Minh City. The initial meetings in Hanoi were with the Import-Export Department and the Multilateral Policy Department of MOIT, the Textile and Leather Footwear Associations, the Automobile Producer Association, Electronic Business Association, the Chemical Substance Association and the Fertilizer Association. On May 17, he met with the Vietnam Cotton and Spinning Association before conducting a Workshop in HCMC for a wide range of exporters attended by more than 50 public and private officials.
- **Ministerial Performance Index (MPX):** USAID STAR Plus met with the Vietnam Chamber of Commerce and Industry on May 17 to finalize the details of the MPX, previously known as the Ministerial Transparency Index. The target is to release the next report before the end of December 2011.

Financial Sector Enabling Environment and Fiscal and Monetary Policy

- **Macroeconomic Policy Research:** On May 17, 2011, USAID STAR Plus economists, Dr. James Riedel and Dr. Pham Tra, participated in a conference titled “Launching of Vietnam’s Annual Economic Report 2011.” The event was organized by the Vietnam Center for Economic and Policy Research (VEPR), the University of Economics and Business and Vietnam National University in Hanoi. The macroeconomic issues discussed in the report align with current research topics the STAR economic team is pursuing.

- **Macroeconomic Instability:** Dr. James Riedel and Dr. Pham Tra presented a paper on “The Sources of Macroeconomic Instability” on Thursday, May 18. The event, involved approximately 20 officials from the General Statistics Office, USAID, the Finance and Monetary Department of the Ministry of Planning and Investment and related departments in MPI was designed to stimulate debate among policy makers regarding the current macroeconomic situation and measures that can be taken to address major issues.
- **State Bank of Vietnam:** On May 26, the USAID STAR Plus economic experts conducted a seminar at the request of the Department of Monetary Statistics and Forecasting, State Bank of Vietnam. The topic was the conduct of monetary policy in Vietnam. The seminar generated a fruitful and lively discussion among its participants, who are key staff of the Department, on the role of the SBV and the challenges facing the SBV with conducting monetary policy. The event was highly appreciated by the counterparts.
- **Secured Transactions Registry:** On May 25 USAID STAR Plus met with the NRAFT (secured transactions registry) of the Ministry of Justice to discuss training in the use of the online registration system for secured transactions and development and enforcement of the Decree on Secured Transactions.
- **Training on Commodities Exchanges for MOIT:** USAID STAR Plus met with Professor Keith La Sota of Keuka College in New York on Saturday morning, May 14 to discuss the development of training program for staff of the Domestic Market Department of the MOIT on commodities exchanges.
- **Implementing Regulations for Law on Securities:** Robert Strahota assisted the State Securities Commission (SSC) in finalizing the draft regulations developed to implement the recently passed Law on Securities. Prior to his return to the United States, the State Securities Commission organized a retreat in Ba Vi to discuss his findings and recommendations. Over 70 people, including Chairman Vu Bang and the head of the State Securities Commission’s International Cooperation Department, representatives of the Ministry of Finance and the State Bank of Vietnam attended the event.

Rule of Law

- **Training on WTO Law for the MOIT’s Competition Authority:** A detailed plan has been developed and approved for training of MOIT’s VCA staff through the remainder of calendar year 2011. This will be a continuation of the highly appreciated training that USAID conducted under the STAR II project.
- **Legal Education:** USAID STAR Plus and the USAID SIIR Project met with the Trade Union University Law School to follow up on discussions

begun in Can Tho in April during the commemoration of the 45th Anniversary of the creation of the university by USAID and the Michigan State University. Several interesting opportunities for cooperation were identified, but the school is not an approved USAID STAR Plus counterpart, so no further action will be taken until the Steering Committee has reviewed their request to become a partner institution.

- **Judicial Reform:** USAID STAR Plus hosted on-line meetings on May 23 and May 24, in cooperation with the Justice Partnership Program of the EU, the Supreme People's Procuracy, the Institute for Prosecutorial Science and experts on criminal procedure systems from France, China, Hungary, Italy, South Korea and the United States. USAID STAR Plus is supporting the SPP request for research into different models that can be used as a blueprint for judicial sector reform through Richard Shine, a former Federal prosecutor based in New Mexico.
- **SBV Regulations:** On May 12, we worked with a group of experts from the Legal Department of the State Bank of Vietnam to discuss a plan to review their system of regulations. STAR's experts presented STAR's opinions and experience on reviewing and re-arranging legal regulations of other ministries and the National Assembly. The Bank's representatives said this is an important task that they are anxious to cooperate with USAID STAR Plus to implement the program. Before commencing work, however, they want to arrange another meeting between USAID STAR Plus experts, the Vice Governor of the State Bank of Vietnam and other top leaders to ensure their commitment to this effort. The meeting will be scheduled by the end of this week.
- **Ordinance on Codification:** The Office of the Government (OOG) requested USAID STAR Plus experts to review and comment on the Ministry of Justice's submission on the Draft Ordinance on Codification. Their submission is supposed to be signed by the Minister of Justice on behalf of the Prime Minister. The comments made by USAID STAR Plus were accepted by the OOG and will be considered by the MOJ and amended, if they see fit, before the document is submitted to the Standing Committee of the National Assembly for final consideration and approval. The National Assembly has also requested USAID STAR Plus assistance on this matter.
- **Labor Reforms:** MOLISA requested USAID STAR+ support for workshops to raise awareness of policy makers to TPP labor issues to build consensus on policy reforms needed to implement the labor requirements under the TPP. The following activities were requested for 2011:
 - Conduct a technical workshop/dialogue on Vietnam labor laws and practices for TPP negotiators and interested stake holders (local labor and trade union officials) prior to the TPP negotiation in Ho Chi Minh City. The purpose of our technical assistance is to bring non-negotiating policy makers to make presentation at the workshop so that they have first-hand experience in response to the questions by the

- negotiating partners and understand the challenges/requirements under TPP negotiation and take them into account in developing and implementing new policy for Vietnam;
- Conduct a workshop after the TPP negotiation round to explain the requirements of TPP negotiation to a core group of policy makers so that they understand better the requirement of the TPP and development of the round conducted in Ho Chi Minh City;
 - Study mission to countries with FTAs with US for key policy makers to enable them to understand that labor requirements are typical under recent FTAs with the US and the implementation of it is possible without any threat to political stability. If possible this should be done around the TPP negotiation in San Francisco in September 2011; and
 - Series of workshops to inform law makers of the TPP labor requirements.
- **Judicial Assistance:** On May 25, USAID STAR Plus representative met with the Judicial Assistance Department of the Ministry of Justice to discuss training lawyers on enforcement of the new Commercial Arbitration Law and development of mediation services. The possibility of conducting a pilot program on mediation and arbitration with faculty from the University of San Francisco's School of Law was also discussed.
 - **Ordinance on Codification:** The Office of the Government (OOG) requested USAID STAR Plus experts to review and comment on the Ministry of Justice's submission on the Draft Ordinance on Codification. Their submission is supposed to be signed by the Minister of Justice on behalf of the Prime Minister. The comments made by USAID STAR Plus were accepted by the OOG and will be considered by the MOJ and amended, if they see fit, before the document is submitted to the Standing Committee of the National Assembly for final consideration and approval. The National Assembly has also requested USAID STAR Plus assistance on this matter as well as a related draft Ordinance on Consolidation.

Other Issues

- **Steering Committee Approval of Workplan:** The first USAID STAR Plus Project Steering Committee meeting was held. The Committee reviewed and approved the 200-page work plan developed by the International Cooperation Department of the Ministry of Justice. The Committee noted that the work plan contained a far greater number of activities than could be completed in the 4.5 months remaining in FY 2011. The Steering Committee instructed the USAID STAR Plus team to meet with the project counterparts directly to develop a feasible action plan that reflects a balance between counterpart demand, relative importance and available resources.

VISITING INTERNATIONAL EXPERTS

Who	When	To Do What
Dejan Momirvoic, IT Office, DAI Bethesda	August/September 2011	Install and configure new server. Update Lotus Notes, install soft PBX, advise on other IT issues
Professor James Riedel	June to September 2011	Conduct research and provide training on macroeconomic issues.
Richard Shine	October 2011	Provide the Supreme People's Procuracy with a research paper on the United States criminal procedure process that can guide judicial reform in Vietnam, with special emphasis on prosecution of intellectual property rights violations.
Judge Clifford Wallace	August 2011	Conduct 2-day training for the Judicial Training Academy of the Ministry of Justice on mediation. Note: This would be in conjunction with other activities Judge Wallace is engaged with in China.
Professor William Frasure	May 16-June 4, 2011	Conduct training program for MOFA.
Shannon Coe, U.S. Department of Commerce	June 27-28	Provide training on government procurement under FTAs.
David Brooks	July 2011	Provide training to GOVN officials on environmental requirements under TPP and other FTAs.
Jean Grier, Office of the US Trade Representative	June 27-28	Participate in TPP negotiations in HCMC, then provide training on government procurement under FTAs.
Dean Jeff Brand and Professor John Adler of the University of San Francisco Law School.	June 5-10	Conduct training on mediation and arbitration. Provide guidance to Hanoi Law University and Trade Union University on use of legal clinics and curriculum for international law training.
Peter Fowler, US Patent and Trademark Office	June 26-28	Discuss intellectual property rights protection efforts and new requirements under TPP. No

		USAID funds will be used.
Professor Robert Hausmann of the University of Montana, Mansfield Center.	June 10-13	Explore opportunities of cooperation in training local government officials as part of the Ho Chi Minh Academy program for FY 2011 and FY 2012. Note: This visit will not require USAID funds.
Professor Charles Crumpton, University of Hawaii	August 2011 (to be confirmed)	Conduct training on mediation and negotiation skills for the Ministry of Industry and Commerce and the Judicial Training Academy of the Ministry of Justice.
Mathieu Lamolle, International Trade Center, Geneva	July 12-15	Conduct training on StandardsMap, TradeMap and ProductMap (analytical trade tools)
Joe Wozniak, International Trade Center, Geneva	July 12-15	Conduct training on StandardsMap, TradeMap and ProductMap (analytical trade tools).

UPCOMING EVENTS

Activities/Events	Date	Place	Objective
.Launch of electronic tariff data base by VN Customs	June 1, 2011	Cyberspace	Make tariff information readily available to anyone with internet access.
Launch of USAID STAR Plus	June 14, 2011	Hanoi	Increase public awareness of USAID efforts to help Vietnam deal with global economic integration.
One-day- workshop for 80 participants on the Law on Commercial Arbitration.	July 25-29	Hanoi	Implementation of Law on Commercial Arbitration
One-day- workshop on the Law on Commercial Arbitration for 100 participants. Survey of stakeholders from HCMC, Can Tho, Binh Duong and Dong Nai.	September 5-10	HCMC	Implementation of Law on Commercial Arbitration
One-day- workshop for 80 participants. Survey of stakeholders in Central	November 7-15	Da Nang	Implementation of Law on Commercial Arbitration:

region. combines with a survey in DN (4 persons): around 7-15 Nov			
One-day-workshop for 80 participants. Survey of stakeholders in Quang Ninh, Hai Phong, Vinh Phuc	Between August 1-8	Quang Ninh	Improve implementation of the Law on Mediation.
One-day-workshop for 80 stakeholders.	Between November 7-15	Vung Tau	Improve implementation of the Law on Mediation.
3rd Policy Dialogue on the subject of Law on Handling Administrative Violations.	June 22	Hanoi	Discuss proposed amendments to the Law.
Workshop on government procurement with relevant Ministries (around 40 participants). Workshop with business community (about 100 participants)	June 27	Hanoi	Provide an overview of TPP and benefits, opportunities, and challenges for VN in joining the TPP; overview of the basic principles and obligations in a Government Procurement chapter.
Workshop with Ministry of Planning and Investment (15 people) on government procurement aspects of the TPP.	June 27	Hanoi	Discussion of specific contents of TPP GP chapter and VN's concerns regarding compliance; and Vietnam's procurement system and U.S. system.
Evaluation workshop with Ho Chi Minh Academy for Political and Administrative Development	June 16-17	Thanh Hoa	Discuss past training programs, how to make programs more effective, changing needs of participants. Also provide training on financial forecasting and discussion of current macroeconomic issues.
Training of provincial leaders in international economic integration.	July-August	Hanoi Son La Da Nang	Build capacity of provincial leaders to address challenges and opportunities arising from international economic integration.
Mediation skills training	August 4-5		Build capacity of judges, lawyers and business officials to use mediation to resolve

			commercial disputes.
Training for STAMEQ, MPI and business community on the use of trade analysis tools.	July 11-12	Hanoi	Train officials and business leaders in the use of trade analysis tools.
Training on ITC analytical trade tools (StandardsMap, TradeMap, and ProductMap.	July 13-14	Dak Lak Province	Train officials and business leaders in the use of trade analysis tools.
Roundtable discussion with faculty of Hanoi Law University and University of San Francisco Law School	June 10	Hanoi	Discuss the US approach to legal education, including the use of legal clinics.
Meeting with Vice Minister Lien and Dean Jeff Brand	June 10	Hanoi	Discuss curriculum for international legal education and future cooperation with the University of San Francisco.
Workshop on US approach to legal education with Judicial Training Academy	June 10	Hanoi	Exchange views on best approaches to training judges and other members of the legal profession.

MONTHLY REPORT FROM THE USAID STAR PLUS PROJECT

June 2011

Project Launch: On June 14, the project known as USAID STAR Plus or the Project to Support Law Implementation Laws on Economic Integration was formally launched at a ceremony at the Hanoi Hilton Opera Hotel. Standing Vice Minister Lien of the Ministry of Justice and CDA Virginia Palmer of the American Embassy spoke at the event, which included pre-meetings for Vietnamese counterparts only and a brief review of the “action plan” by USAID STAR Plus Project and representatives of counterpart organizations.

Legislative Function and Processes

June 23: Mr. Phan Vinh Quang, USAID STAR Plus Deputy Chief of Party presented a paper on the role of Vietnam’s National Assembly in Economic Development at a USAID workshop at the National Press Club in Washington D.C. The workshop concluded that the work with NA on legislative strengthening is not just important for D&G but is equally important for economic growth. This was underpinned by the work of USAID in Vietnam through STAR, a research commissioned by DAI and the practices of other countries at the workshop.

June 25: USAID STAR Plus supported and participated in a workshop with State Bank of Vietnam officials to discuss systemization and organization of legal documents and the experience of the US Code of Federal Regulations as an effective mechanism for ongoing systemization.

June 26 and 29: USAID STAR Plus met with a Study Mission of Lao officials and lawyers supported by the USAID-funded Luna Project of Laws on lessons learnt from supporting legal transparency in Vietnam.

June 30-July 1: Training on e-Official Gazette for 20 officials of the central Official Gazette Unit at the OOG in Ha Noi.

Trade and Investment Enabling Environment

Training for Young Diplomats: The second phase of the training program for young diplomats has begun at Connecticut College in New London, Connecticut. The U.S.-based phase follows a two-week program on international economic integration for 15 young diplomatic professionals at MOFA (deputy department heads). The Ministry of Foreign Affairs is covering all travel and lodging costs in the United States, and USAID STAR Plus is supporting remuneration for instructors of the College.

Trans Pacific Partnership: USAID STAR Plus participated in the Trans Pacific Partnership Stakeholder conference in Ho Chi Minh City on Sunday, June 19, a reception on June 20 and a briefing for stakeholders on June 21. A side meeting was held with former Assistant Secretary of Commerce, David Spooner, to discuss sustainable fisheries issues related to the TPP.

TPP Technical Assistance:

June 23: USAID STAR Plus supported the participation of officials from MOLISA, VGCL and VCCI and local labor departments in a stakeholder meeting on labor so that they could present their view on the Vietnamese system with TPP negotiators and hear first-hand information on the requirements and challenges of TPP negotiation/implementation with regard to labor and trade union issues. The discussion was constructive and informative. The group spent the afternoon to visit a Nike factory to see the labor and trade union practices there.

June 25: On Saturday, USAID STAR Plus participated in a one-day training workshop supported by USAID SIIR for 30 persons from the Vietnam Trade University, the University of Labor and Social Affairs, the Hanoi Law University, the Vietnam National University, Ho Chi Minh Academy, the Diplomatic Academy of Vietnam, Vietnam National University, VGCL, MOLISA and VCCI on labor clauses in free trade agreements. At the end of the training, the participants enhanced their understanding of trade and labor linkages and how to use materials provided at the workshop for instruction.

June 27-28: USAID STAR Plus supported and participated in TPP Technical Workshops on:

- Intellectual Property Rights (in Hanoi) for 70 people with MOIT, MOST and others.
- Government Procurement (in Hanoi) with MPI for 75 businesses and 70 government officials on 27 June. There was intensive, productive discussion on the contents of the TPP. Two TPP delegations also had an intensive discussion on understanding the text of the Government Procurement Chapter in TPP on 28 June.
- Labor issues for 20 government officials from MOLISA, MOFA, Office of the Communist Party and MPS.

Ho Chi Minh Academy: From June 16 to 17, USAID STAR Plus conducted a workshop Thanh Hoa Province for approximately 60 members of the leadership of the Ho Chi Minh Academy and provincial leaders to review the past training courses and obtain comments on the future training curriculum for economic faculty and provincial officials/teachers. Following the review, USAID STAR Plus staff made a series of presentations ranging from theoretical (sources of macroeconomic instability, the need for a new growth strategy) to very practical (simplified financial planning model, TradeMap and other analytical tools). Ms. Lan from USAID VNCI II also gave a presentation on the Provincial Competitiveness Index (PCI). The new President of the Ho Chi Minh Academy, who is also a member of the Central Committee of the Communist Party, traveled from Hanoi to attend the last day's events. The participants were highly appreciative of the training provided and requested more in-depth training on all of the topics at a later date.

Financial Sector Enabling Environment and Fiscal and Monetary Policy

June 23-29: At the invitation of the National Financial Supervision Commission, a new body under the Prime Minister's Office, USAID STAR Plus presented research findings on the sources of macroeconomic instability

and measures to be taken to address these problems for 40 people in Ha Noi. The same presentation was made at the Development Strategy Institute, Ministry of Planning and Investment on June 29 in Ha Noi for about 70 people. Several leading economic experts of Vietnam such as Dr. Nguyen Quang A, Madam Pham Chi Lan, and Ms. Victoria Kwakwa, Country Director of World Bank Vietnam also participated in the DSI seminar. The seminar generated a lot of discussion on the root causes of the current inflation and instability. USAID STAR Plus is finalizing the reports on the conduct of monetary policy and the options and cost of disinflation which will be shared with the OOG and interested agencies.

Rule of Law

Judicial Capacity Building: On June 9, USAID STAR Plus sponsored a technical workshop in Hanoi with the Ministry of Justice's Judicial Academy. The primary focus was on the U.S. experience in training lawyers. Dean Jeffery Brand and Professor John Adler of the University of San Francisco's School of Law spoke to the Academy instructors. They also discussed the U.S. experience in developing and running legal clinics as part of the training process. Further discussions were held on June 15 between USAID STAR Plus and the Judicial Academy to finalize plans for activities in FY 2011, including training and consultations in August by the former Chief Judge of the 9th Circuit Court of Appeals, J. Clifford Wallace.

Hanoi Law University: USAID STAR staff and Dean Jeffery Brand and Professor John Adler of the University of San Francisco met with the Rector of the Hanoi Law University (and Standing Vice Minister of the Ministry of Justice) to discuss the new program leading to a Bachelor of International Trade and Business Law degree. The University of San Francisco's School of Law has a relationship with the Hanoi Law University dating back to 1995. Both universities expressed keen interest in renewing their memorandum of understanding. After one hour, a second meeting was convened to discuss possible cooperation in detail, including development of a legal English teaching capacity, immediate cooperation with faculty in San Francisco via Skype to fine tune the curriculum, development of case studies, the balance between basic legal skills training and highly focused instruction on WTO law.

VISITING INTERNATIONAL EXPERTS

Who	When	To Do What
Dejan Momirvoic, IT Office, DAI Bethesda	August/September 2011	Install and configure new server. Update Lotus Notes, install soft PBX, advise on other IT issues
Professor James Riedel	June to September 2011	Conduct research and provide training on macroeconomic issues.
Richard Shine	October 2011	Provide the Supreme People's Procuracy with a research paper on the United States criminal procedure process that can guide

		judicial reform in Vietnam, with special emphasis on prosecution of intellectual property rights violations.
Judge Clifford Wallace	August 3-5, 2011	Conduct 2-day training for the Judicial Training Academy of the Ministry of Justice on mediation. Note: This would be in conjunction with other activities Judge Wallace is engaged with in China.
Professor William Frasure	May 16-June 4, 2011	Conduct training program for MOFA.
Shannon Coe, Attorney – Advisor, U.S. Department of Commerce	June 27-28, 2011	Provide training on government procurement under FTAs.
Morgan Barr, International Economist, U.S. Department of Commerce		
David Brooks	August - September 2011	Provide training to GOVN officials on environmental requirements under TPP and other FTAs.
Jean Grier, Office of the US Trade Representative	June 27-28	Participate in TPP negotiations in HCMC, then provide training on government procurement under FTAs.
Dean Jeff Brand and Professor John Adler of the University of San Francisco Law School.	June 5-10	Conduct training on mediation and arbitration. Provide guidance to Hanoi Law University and Trade Union University on use of legal clinics and curriculum for international law training.
Peter Fowler, US Patent and Trademark Office	June 26-28	Discuss intellectual property rights protection efforts and new requirements under TPP. No USAID funds will be used.
Professor Robert Hausmann of the University of Montana, Mansfield Center.	June 10-13	Explore opportunities of cooperation in training local government officials as part of the Ho Chi Minh Academy program for FY 2011 and FY 2012. Note: This visit will not require USAID funds.

Professor Charles Crumpton, University of Hawaii	August 2011 (to be confirmed)	Conduct training on mediation and negotiation skills for the Ministry of Industry and Commerce and the Judicial Training Academy of the Ministry of Justice.
Mathieu Lamolle, International Trade Center, Geneva	July 12-15	Conduct training on StandardsMap, TradeMap and ProductMap (analytical trade tools)
Joe Wozniak, International Trade Center, Geneva	July 12-15	Conduct training on StandardsMap, TradeMap and ProductMap (analytical trade tools).

UPCOMING EVENTS

Activities/Events	Date	Place	Objective
Introduction to trade and investment maps for MPI officials (in coordination with ITC)	July 12 and 15, 2011	Ha Noi	Train officials and business leaders in the use of trade analysis tools.
Introduction to standard map and sustainable certification for coffee farmers (in coordination with ITC)	July 13 - 14, 2011	Buon Me Thuot	Train coffee growers, trading companies, business association and government officials in the use of trade analysis tools and how to apply and take benefits out of certain sustainable standard certification schemes
Training for local customs officials on the use of online tariff database and feedback on classification (in coordination with Customs Dept.)	July 21-22 Early August	Hai Phong Quy Nhon	Train local customs officials of the new online database and enable them to provide feedback on implementation of the new rules on classification.
Training in Hanoi on (1) resolution of disputes between the Government and foreign investors and; (2) government subsidies for local officials (in coordination with MOJ)	July 19-20 July 29-30 August 9-10	Ha Noi Da Nang Da Lat	Train local officials on handling disputes between investors and state and reviewing local regulations.
Workshop to collect comments on Decree 163/2006 on secured transactions and	July 22	HCMC	Review the implementation of the Decree and input for developing a circular to

implementing circular.			implement it.
One-day- workshop for 80 participants on the Law on Commercial Arbitration.	July 25-29	Hanoi	Implementation of Law on Commercial Arbitration
TPP Environment Mission for David Brooke	August – September	Ha Noi and others	Assist MOIT and other ministries to understand environment commitments in TPP and help MOIT to raise awareness for relevant stakeholders in this matter to raise consensus .
Training on Arbitration and Mediation	August 5	Ha Noi	Train MOJ officials and others on using arbitration and mediation to resolve commercial disputes.
US experiences in training US judges	August 4	Ha Noi	Share experience with Judicial Academy in training judges.
Training for government officials (legal dept. staff at ministries and provinces) on public consultation and legal development skills	July, August and September	TBD	Train them on skills and technique to undertake public consultation and other skills to improve the law and rule making process

MONTHLY REPORT FROM THE USAID STAR PLUS PROJECT

July 2011

Legislative Function and Processes

Official Gazette: On July 18, USAID STAR Plus conducted a training Workshop on new rules for the Official Gazette and demonstrated the e-official gazette software in Lam Dong for 100 representatives from southern provinces. The OOG and representatives of the E-Government Portal made presentations on the new rules on the Official Gazette and institutional arrangements. USAID STAR Plus made a presentation on the link between the Provincial Competitiveness Index (PCI) and the Official Gazette. The Government Portal staff stressed the need for standardized software so that all E-official gazettes can be consolidated into the Government Portal. A number of provinces shared their experiences with the USAID STAR II official gazette software and our IT partner, Syntek, gave a brief demonstration of the software, which is now in use by over 20 provinces.

Trade and Investment Enabling Environment

StandardsMap: On July 13 and 14, USAID STAR Plus, in cooperation with the International Trade Center (ITC) in Geneva, supported the Directorate for Standards and Quality (STAMEQ) to organize training on StandardsMap and how to implement certain voluntary sustainable standards (such as 4C, FairTrade, UTZ, standards) in Buon Me Thuot. Over 100 coffee growers, trading companies and government officers attended. The workshop was highly successful. Vietnam is one of a few countries where StandardsMap has been introduced. The ITC and USAID STAR Plus are developing a follow-up program in September 2011 (a detailed report on this was sent to USAID previously).

TradeMap and Investment Map: On June 12 and 15, USAID STAR Plus and the ITC provided training in Hanoi on Trademap and InvestmentMap, for approximately 30 officials and researchers from the Ministry of Planning and Investment. Both analytical tools were developed with USAID assistance (EGAT/EG). The workshop equipped the participants with online tools to analyze trade and investment flow analysis. The participants highly appreciated the knowledge and skills shared at the workshop. A participant took the initiative to organize a separate workshop on August 24 where a STAR expert will be the guest speaker.

Resolution of Disputes Involving Foreign Investors: On July 19 and 20, USAID STAR and the Ministry of Justice provided training in Hanoi on (1) resolution of disputes between the Government and foreign investors and; (2) government subsidies. About 80 participants from Northern provinces and ministries took part. The participants appreciated the practical knowledge that the MOJ and USAID STAR Plus teams shared with them on how to avoid and deal with investor-state disputes. On July 28-29, USAID STAR Plus supported a two-day workshop in Da Nang on investor-state dispute resolution and trade remedies. The training was attended by around 50

people from central provinces. This is the first training on this topic for many people and the idea of government being subject to foreign/international arbitration by virtue of a trade agreement, such as the BTA, was new to many of them. The workshop equipped the participants with basic knowledge of international commitments in these areas and the facilities in which foreign investors can sue the Government. The participants now realize the importance of dealing with foreign investors in transparent, consistent, fair, non-discriminatory manner to avoid costly disputes.

Financial Sector Enabling Environment and Fiscal and Monetary Policy

Secured Transactions: USAID STAR Plus and the Ministry of Justice conducted a workshop in Ho Chi Minh City on July 22 to collect comments on Decree 163/2006 and the proposed the draft decree which will be submitted to the Government in August 2011. The feedback from bankers and practitioners in the workshop confirmed that USAID assistance in improving the regulatory framework in secured transaction facilitated their development and use by banks and financial institutions. The USAID STAR Plus presentation on revisions to the current decree was also supported by the bankers. The MOJ collected a great deal of useful comments from the workshop that they will use to revise the draft legislation.

Supporting Industries: At the request of CIEM/MPI, Professor James Riedel and Dr. Pham Thi Thu Tra presented a paper on July 27 on supporting industries at a UNIDO-funded workshop in Da Nang. The paper looked at the issues from three different perspectives and argued that, while there appears some benefit to supporting industry, government intervention tend not to work well. Care needs to be taken in order not to fall into 'picking winner' fallacy. Instead the Government should focus on building an enabling environment in which the private sector to compete, operate in a transparent manner and grow. With the current institutional deficiencies, targeted industrial policy runs the risk of fostering rent seeking operations.

Rule of Law

Hanoi Law University: Mr. Rick Trachok, Visiting Professor from the University of San Francisco, Chairman of the Nevada Bar Examiners and a practicing lawyer, has been working as USAID STAR Plus consultant to advise the Hanoi Law University on the new program leading the a Bachelor of International Trade and Business Law degree. He will be in Vietnam from August 15-19 to work with the Hanoi Law University on this.

Criminal Procedure Process: Richard Shine, a former Federal Prosecutor and practicing defense attorney in New Mexico, is preparing a research paper on the U.S. approach to the criminal procedure process at the request of the Supreme People's Procuracy. The paper, along with similar research from China, South Korea, Italy, France and Japan will be used to formulate changes in the judicial system in the near future. His paper will be completed in early August.

VISITING INTERNATIONAL EXPERTS

Who	When	To Do What
Professor James Riedel	June to September 2011	Conduct research and provide training on macroeconomic issues.
Judge Clifford Wallace	August 3-5, 2011	Conduct training for the Ministry of Justice on mediation and a seminar for the Judicial Academy on judicial system. Note: This is in conjunction with other activities Judge Wallace is engaged with in China and Malaysia.
Mathieu Lamolle, International Trade Center, Geneva	July 12-15	Conduct training on StandardsMap, TradeMap and ProductMap (analytical trade tools)
Joe Wozniak, International Trade Center, Geneva	July 12-15	Conduct training on StandardsMap, TradeMap and ProductMap (analytical trade tools).

UPCOMING EVENTS

Activities/Events	Date	Place	Objective
Workshop with MOF/Customs on the conversion of HS2007 to HS2012 and proposed the tariffs for 2012.	August 1-12	Vinh Phuc	Develop a correlation table between the 2007 version and the 2012 version of Vietnam Export and Import Classification Nomenclature.
Roundtable discussion with key staff of the OOG	August 2	Ha Noi	Discuss the causes and solutions to the current macroeconomic instability.
Workshop with Judicial Academy in Ha Noi on the U.S. experience in training judges	August 4	Ha Noi	Introduction on US judicial system, discussion on judicial reform and relationship between judges and lawyers.
Workshop with MOJ on international experience with mediation as an alternative dispute resolution mechanism.	August 5	Ha Noi	Discuss mediation as an alternative disputes resolution mechanism.

Training in Hanoi on (1) resolution of disputes between the Government and foreign investors and; (2) government subsidies for local officials (in coordination with MOJ)	August 9-10	Da Lat	Train local officials on disputes between investors and state; and subsidies.
Training Workshops on new rules for the Official Gazette and demonstration of e-official gazette in Tam Dao for Northern provinces.	August 11	Vinh Phuc	Train local official gazette people on new rules and e-official gazette operations.
Workshop on new international trade law program at Ha Noi Law University.	August 17	Hanoi	Comment on the training curriculum and launch the new program at the Ha Noi Law University.
Training workshops at Ha Noi Law Schools and Judicial Academy on case study teaching methods and lawyering skills	August 16 and 18	Ha Noi	Transfer skills/knowledge to Ha Noi Law University and the Judicial Academy.
Training for relevant local officials on new rules for registering secured transactions by the MOJ's National Registration Agency for Secured Transactions (NRAST).	August 15-16 18-19 25-26	Da Nang HCMC Hanoi	Train local officials on procedures for registration of secured transactions.
Survey on mediation in Da Lat (Judicial Assistance Dept., MOJ)	Aug 15-16	Da Lat	Survey on mediation in Da Lat. This activity is a preparatory step for development of a legal framework on commercial mediation in Vietnam.
Training for government officials (legal dept. staff at ministries and provinces) on public consultation and legal development skills	August 25-26 and September	Ha Long Buon Me Thuot, Lang Son, HCMC	Train them on skills and technique to undertake public consultation and other skills to improve the law and rule making process

MONTHLY REPORT FROM THE USAID STAR PLUS PROJECT

August 2011

Legislative Function and Processes

Increased Transparency: Phan Cam Tu and Phan Vinh Quang of USAID STAR Plus participated in a training workshop for 70 representatives of Northern provinces on August 11 in Tam Dao. The workshop, which was organized by the Office of the Government and sponsored by USAID STAR Plus, acquainted the participants with new rules relating to the Official Gazette. USAID STAR Plus sub-contractor, Syntek, also provided a demonstration of the E-Official Gazette software.

Dispute Mediation: With assistance from STAR II, the Law on Arbitration was developed and passed by the National Assembly, but Vietnam lacks a legal framework for mediation as a means of resolving commercial disputes. Currently, there are provisions in different laws and decrees covering mediation in labor, family and marital disputes. There is also mediation at grassroots level, but not commercial mediation. To address this shortcoming, the Ministry of Justice has asked for USAID assistance plans to conduct surveys in different provinces to see how mediation/commercial mediation work in practice. This information will then be used to prepare a new legal framework to support widespread use of mediation to resolve commercial disputes. On August 15-16, a USAID STAR Plus/Ministry of Justice team met with the Lam Dong Province People's Committee, the local Department of Justice, the Department of Planning and Investment, private attorneys, the Lam Dong Bar Association, the farmers' association and representatives of the Women's Union. Local lawyers told the team that they had enjoyed success in helping parties in commercial disputes reach a mutually agreeable solution without the involvement of either the courts or arbitration. Out of several hundred disputes, only about 30 per year have to be sent to the courts for resolution due to the success of mediation efforts. However, in cases involving a Vietnamese party and a foreign party the results were mixed. In general, foreign parties were more amenable to mediation, but if a Vietnamese party had breached a contract with a foreign party, the Vietnamese party almost always preferred to take the issue to the court for resolution because they knew it would introduce a delay of several years.

Trade and Investment Enabling Environment

New Tariff Schedule: USAID STAR Plus, in cooperation with the General Department of Customs (GDC), supported a 12-day workshop on the conversion of HS2007 codes to HS2012 codes and the development of proposed new Preferential Importing and Exporting Tariffs. Twenty-four officials from GDC and the Ministry of Finance reviewed thousands of pages of documents to convert tariff codes so they will be consistent with ASEAN practice. They also developed new tariff schedules that reflect Vietnam's commitments under the WTO agreement and various Free Trade Agreements. The new tariffs will be effective from January 1, 2012.

Food Safety: On August 23, USAID/STAR staff participated in a Forum on Food Safety and Quality Certification in Vietnam, hosted by the Ministry of Agriculture and Rural Development (MARD). In this forum, MARD updated donors and projects on the status of implementation of the new Food Safety Law passed by the National Assembly in 2010. MARD and donors exchanged views on food safety and product quality-related projects. USAID STAR reported on the work the project has done in support of the drafting the Food Safety Law in 2009-2010 and explained that MARD and MOIT have requested USAID to provide U.S. consultants who are experts in the food safety risk assessment process (meat and dairy). These consultants will advise MARD and MOIT on how to conduct a science-based risk assessment to identify and address the most critical food safety risks in Vietnam, using internationally recognized risk assessment techniques. We have already identified one expert, Dr. Richard Raymond, the former U.S. Under Secretary of Agriculture for Food Safety and we are currently seeking an expert on dairy product risk assessment.

Trade Remedies Training: Throughout the month of August, USAID STAR Plus provided training on trade remedies for the staff of the Vietnam Competition Authority of the Ministry of Industry and Trade. Mr. James Lockett, of Baker & McKenzie, had co-taught the course, but he left Vietnam to assume a new position with ASEAN in Indonesia at the end of August. In the interim, USAID STAR Plus staff will serve as the only trainers.

Trade Analysis Tools: On August 24, USAID STAR Plus conducted training on TradeMap, an analytical trade tool developed by the International Trade Center in Geneva with support from AID/Washington. Over 50 local businessmen from import and export companies attended the event. The Hanoi Trade Department covered all of the costs and pronounced the event “very useful.” Additional training events will be held in coming months.

Law on Metrology: USAID STAR metrology expert, Edward Nemeroff, is reviewing and commenting on the latest draft of the Law on Metrology at the request of the National Assembly. STAR II provided considerable support to STAMEQ in the preparation of the draft law, but the latest version differs considerably from the last version we worked on.

Investment Dispute Training: On August 9 and 10, USAID STAR provided training in Da Lat on (i) investment disputes in which one party is the Government; and (ii) procedures of the U.S. Department of Commerce and International Trade Commission in dealing with U.S. industry petitions alleging subsidies and determining whether to impose the remedy of countervailing duties. The training had a particular focus on agriculture and industry. The program equipped 50 DOJ staff, DPI staff and businesses in southern provinces with basic knowledge on dispute prevention and settlement and on how the U.S. Government investigates and deals with U.S. allegations of harmful subsidies. This is important topic for local governments who deal directly with foreign investors. According several reports, foreign investors in some southern provinces have complained that their interests have been adversely affected by local government officials’ decisions or failure to take certain actions.

Financial Sector Enabling Environment and Fiscal and Monetary Policy

State Bank of Vietnam: From Friday, August 19 through Sunday, August 21, USAID STAR Plus conducted an intensive workshop in Hai Duong with 15 officials from the Legal Department of the State Bank of Vietnam (SBV) and a group of experts from Vietlaw, a private law database company. The retreat focused on the following issues:

- Learning about the United States' experience in management of legal regulations (Code of Federal Regulations);
- Learning how other Vietnamese agencies succeeded in systemizing their legal normative documents (LNDs). That effort with the National Assembly and the Ministry of Science and Technology (MOST) was completed under STAR II;
- Discussing how the SBV should organize their LNDs;
- Developing a 6-month work plan to complete the task

Macro Economic Crisis Discussion with the Office of the Government:

At the request of the Office of the Government (OOG), USAID STAR Plus organized a roundtable discussion with key staff of the OOG in Hanoi. The program was chaired by Vice Minister Pham Van Phuong. It included presentations by Dr. James Riedel and Dr. Phan Tra on their recent research into the causes of and solutions to the current macroeconomic instability crisis.

Secured Transactions: USAID STAR Plus and the Ministry of Justice's National Registration Agency for Secured Transactions (NRAST) held a training workshop on the laws on secured transactions and registration of secured transactions in Hanoi from August 25-26. Like previous sessions in Ho Chi Minh City and Da Nang, the training focused on implementation of the new Decree on Secured Transactions (Decree 163) and the Decree on the Registration of Secured Transactions (Decree 83), including the new on-line registration process. About 50 people from 18 different provinces in the North participated in the Hanoi program.

Financial Forecasting: At the request of the Ministry of Planning and Investment's Department of Monetary Affairs, USAID STAR Plus expert Dr. Pham Chi, a former International Monetary Fund economist, traveled to Hanoi to conduct training from Friday, August 18 through Saturday, August 20 for the MPI staff. The main task was to help the department calculate the medium-term balance of payments for 2011-2015. The staff requested USAID assistance urgently to prepare for important policy meetings with the meetings with the Minister of MPI and the Deputy Prime Minister (Mr. Vu Van Ninh) on August 24, 2011. A more detailed USAID STAR Plus workshop will be held in September 2011 to provide more in-depth training on the methodology and to develop more elaborate projections.

Secured Transactions Law: USAID STAR Plus and the Ministry of Justice held a training workshop on the laws on secured transactions and registration of secured transactions in Da Nang on August 15 and 16. The event was attended by 65 officials from central provinces. They also came from Secured Transaction Registration Centers, public notary offices, commercial banks and land registration centers. In addition to the speakers from the Ministry of Justice, experts from the Hanoi Law University made presentations on a number of legal issues associated with registering real estate and other secured transactions. A similar program was held in Ho Chi Minh City on August 18 and 19. That training focused on implementation of the new Decree on Secured Transactions (Decree 83/2010) and the Decree on the Registration of Secured Transactions, including the new on-line registration process. About 160 participants from different provinces in the south took part. They included representatives of banks, notary offices, provincial departments of national resources and environment, law firms, and NRAFT's branch, university. The main topic were how to deal with secured transactions involving land use rights, houses, and buildings, including of registration of new/amendment/ and cancelation of the secured transactions, and its legal consequences. NRAFT presented some typical case studies in order to address frequently asked questions. Mr. Vu Duc Long, Director of NRAFT, extended the sincere appreciation to USAID for its support over the past year and said he looks forward to more cooperation with USAID STAR Plus on this topic in the future.

Rule of Law

Mediation Workshop: USAID STAR Plus supported a Ministry of Justice workshop on mediation on August 5, 2011 in Tay Ho. The workshop was attended by approximately 80 people from different agencies (including the Office of the Government, the Supreme People's Court, the Ministry of Justice, Hanoi People's Court, Vietnam Lawyers Association, the Departments of Justice from several Northern provinces, commercial banks, law firms, businesses and the Hanoi Law University. Judge Clifford Wallace's presentation on U.S. and international rules and practices, and his Court's experience with medication and conciliation were well received. In addition to Judge Wallace, three other papers were delivered by Vietnamese experts introducing the U.K., French and Japanese commercial mediation systems. Ms. Minh, Deputy Director of the Judicial Assistance Department (MOJ) emphasized the importance of mediation and other ADR in settlement of commercial disputes and outlined MOJ's plans to create a legal foundation for commercial mediation in Vietnam.

However, participants from the Supreme People's Court said that the enforcement of mediation agreement is still weak. They asked for the MOJ's attention to this issue. Several participants suggested to the Ministry of Justice mediation should be included as required subject for both law school students and the Judicial Academy.

Arbitration of Commercial Disputes: On August 30, the Ministry of justice, with support from USAID held a workshop in Hanoi on the Law on Commercial Arbitration 2010 (LCA) and Decree 63/2011/ND-CP (which

provides guidelines to a number of articles of in the LCA). This was the first time the MOJ held a workshop on implementation of the LCA since it became effective on January 1, 2011. The workshop drew 70 participants. They came from different government agencies in Hanoi and some provinces in the north. They included representatives from the Ministry of Justice, the Supreme People's Court, the Hanoi People's Court, the Vietnam Lawyers Association (which took the lead in drafting the LCA), the Vietnam International Arbitration Center; law firms, and business. The attendees appreciated the improvements incorporated in the LCA, especially compared to the old Ordinance on Commercial Arbitration. Important changes include competence of arbitration in disputes resolution, the "arbitration clause [agreement]", access to the Vietnamese market for foreign arbitration [centers], void arbitration agreements, qualification of arbitrators, the right to apply some provisional measures and to collect evidence, and enforcement of arbitration awards.

However, representatives from some businesses, private lawyers, and arbitrators said they expected MOJ and SPC to provide guidelines for some provisions of LCA relating to the application of provisional measures, the cooperation of the court and other agencies and some terms. Representatives from the MOJ and the SPC promised to work closely with each other to order to develop an SPC resolution on implementation of the LCA. The Supreme People's Court expects to release this resolution by end of 2011.

Ms. Minh, Deputy Director of the Judicial Assistance Department of the Ministry of Justice and Mr. Quoc Anh, Chairman of the Vietnam Lawyers Association, expressed their sincere appreciation to USAID for the support provided in the development and implementation of the LCA.

Training on WTO Law: USAID STAR Plus completed training for approximately 80 students from the Diplomatic Academy of Vietnam on World Trade Organization Law. The feedback from the students indicated a high level of satisfaction with the course and strong demand for more interactive (non-traditional) teaching methods.

Research Paper on Criminal Procedure Process: Former Federal prosecutor and private defense attorney, Richard Shine, completed his 90-page report on the federal criminal procedure system in the United States. The report was subsequently translated into Vietnamese and provided to the Supreme People's Procuracy (SPP). The paper will be discussed at a seminar to be held in Hanoi later this year on the criminal procedure models of Russia, China, Korea, France, Japan, Italy and the United States. The lessons learned from an examination of the different models will be used to amend the current Criminal Procedure Code.

Public Consultation: USAID STAR supported two training programs (August 25-26 in Do Son and August 29-31 in Lang Son) for approximately 400 people. The first program focused on about 50 ministry officials from Hanoi. The second program included 350 people from 30 Northern provinces. The purpose of the training was to familiarize the participants with latest regulations on the role of legal departments (provincial level branches of the

Ministry of Justice) in the development of new laws and to provide them with new skills needed to conduct public consultations in the course of developing new laws and regulations. Public consultation is a requirement under the Law on Laws, which came in to effect on January 1, 2011. USAID STAR Plus representatives shared the United States (Federal and state) experience with public consultation, as well as selected international experiences. Practical advice was also offered on how these techniques could be used in Vietnam.

Training for the Judicial Academy: On August 4, USAID STAR Plus sponsored a seminar with the Judicial Academy in Hanoi on the U.S. experience in training judges. The main presenter was Judge Clifford Wallace, former Chief Judge of the 9th Circuit Court of Appeals, which is responsible for the 9 western states and the Pacific Trust Territories. Judge Wallace introduced the U.S. judicial system and how it has been reformed over the last several decades. Judge Wallace shared his views on the importance of Alternative Dispute Resolution (ADR) and Case Management to the US judicial system to reduce the workload for the judges, deliver more effective justice to the largest number of citizens and to reduce the size of the Supreme Court. The U.S. Supreme Court, for example, has 9 judges, whereas Turkey's Supreme Court has over 400 and Vietnam has over 100. He also discussed the relationship between judges and lawyers in the adversarial system, and the differences between adversarial systems and the inquisitorial system used in many European courts and in Vietnam. The seminar was very well received by the 50 participants, five of whom were judges or former judges. The workshop got the highest possible ranking on the evaluation form by 97% of the audience.

Seminar on Bar Examination Process for the Judicial Academy: On August 16, USAID STAR Plus sponsored a seminar with the Judicial Academy in Hanoi with Rick Trachok, Professor of international law at the University of San Francisco. Professor Trachock is also the Chairman of the Board of Bar Examiners for the State of Nevada. In that capacity, Professor Trachock supervises the process of testing and licensing new attorneys in Nevada.

The Judicial Academy asked Professor Trachok to share his knowledge of the process of licensing attorneys, and to discuss the knowledge and skills that employers look for when hiring new attorneys. With the participation of the Judicial Academy faculty, Professor Trachok also presented a case study of the negotiation and drafting of an international investment contract. This was the third USAID STAR seminar at the Judicial Academy this year. The faculty and leadership of the Academy greatly appreciated the discussion, and said they look forward to more programs in the future.

New Law School Curriculum: On August 17, USAID STAR Plus supported a one-day workshop on the International Law and Business Law (LLB) training program of the Hanoi Law University for approximately 60 people. The program commenced with an overview of the draft curriculum, with comments by Professor Rick Trachok of the University Of San Francisco School Of Law and Dr. Ho Thuy Ngoc of the Foreign Trade University. Ms. Do Ngoc Thien Huong provided comments on the English training section of

the curriculum and Mr. Tran Manh Hung of Bake and McKenzie commented on lawyering skills training. In the afternoon, Professor Dr. Hoang The Lien, Standing Vice Minister of the Ministry of Justice and Michael Foster of USAID formally launched the new program. Mr. Foster also presented books on legal English worth approximately \$800 to the University.

VISITING INTERNATIONAL EXPERTS

Who	When	To Do What
Professor James Riedel	June to September 2011	Conduct research and provide training on macroeconomic issues.
Judge Clifford Wallace	August 3-5, 2011	Conduct training for the Ministry of Justice on mediation and a seminar for the Judicial Academy on judicial system. Note: This is in conjunction with other activities Judge Wallace is engaged with in China and Malaysia.
Harvey Herr	August 23-September 9	Update Monitoring and Evaluation Plan for STAR Plus Project to ensure compliance with USAID requirements.
Joe Wozniak and Greg Sampson, International Trade Center, Geneva	July 12-15	Conduct training on StandardsMap, TradeMap and ProductMap (analytical trade tools).
Richard Raymond. M.D.	November 12-22	Provide training on food safety risk assessment techniques for pork.
Stephen Neal	November 12-22	Provide training on food safety risk assessment for beef.
David Brooks (Former USTR Director for Environment)	October 10-14	Provide TPP-related capacity building on environmental issues.

UPCOMING EVENTS

Activities/Events	Date	Place	Objective
Study mission on government procurement in conjunction with the 8th round of the Trans Pacific Partnership Free Trade	September 9-18	Chicago and Washington, D.C.	Facilitate US-Vietnam negotiations on Government Procurement Section of TPP.

negotiations.			
Training for IPR enforcement officials.	September 12-15	Do Son, HCMC	This training course will be organized by the Management Training Institute under MOST (MTI). MTI is authorized by MOST to conduct a series of training courses on IPR for IPR enforcement officials this year and they have asked USAID STAR Plus to provide them with information of international best practice. USPTO is also invited to attend the training programs in the South.
Study tour on plant protection.	September 10-25	Washington North Carolina Missouri	The objective of the study tour is to work with a team that includes representatives of the Office of the Government, the National Assembly and the Ministry of Agriculture and Rural Development to develop a law, and subsequent regulations that will enhance food and feed safety; reduce pesticide and herbicide residues in crops; better monitor and control plant diseases; harmonize Vietnam's plant laws and regulations with their WTO commitments (as well as IPPC; enhance import and export trade; licensing and control of pesticide and herbicide use; enhance labeling; protect the environment and human health against overuse and runoff from production chemicals; and assist Vietnam to contribute in international fora on plant and human health (Codex Alimentarius). The study tour will help key government officials of who will be responsible for drafting the plant health law to learn about

			the US system and experiences in regulating plant health, especially in the areas of chemical residue level, management and use of plant protection drugs, quarantine of imports. The drafting team will meet with US Government officials (Foreign Agricultural Service, Animal Plant Health Inspection Service (APHIS), FSIS and the Environmental Protection Agency), private sector companies and research institutions.
Meeting with the American Iron and Steel Institute in Washington, D.C.	September 12-14	Washington, D.C.	explore the possibility of a series of seminars on anti-circumvention. Currently, exports of Chinese-made steel from Vietnam disguised as Vietnamese made steel are a major issue with the United States steel industry. The TPP will require greater customs disciplines of the type that are needed to stop anti-circumvention for steel, but these disciplines will apply to all products. Lessons learned from a series of steel seminars would provide important advice to VN customs about reforms that they will be required to undertake under the TPP.
Training on the use of a simplified financial forecasting program (based on International Monetary Fund tools).	September 13-15	Hanoi	Provide officials from the Ministry of Planning and Investment with skills needed to develop monetary policy
Training on financial forecasting and financial early warning system (EWS).	September 21-23	Hanoi	Provide Ministry of Finance officials with new forecasting and monitoring tools.
Training on StandardsMap for coffee producers and	October 10-12	Dak Lak	A one-day training program will be conducted using case

training of trainers.			studies to help coffee farmers, production companies and traders compare and select the most appropriate standards for their current capacity and status. This will be followed by a two-day, train-the-trainers program for 25 to 30 people on StandardsMap.
Training on trade remedies for officials from Cambodia, Laos and Vietnam	October 4-6	Phnom Penh	WTO experts from Geneva will familiarize officials from Cambodia, Laos and Vietnam with WTO approaches to trade remedies.
Conference to review the implementation of the Law on Judicial Assistance (civil and criminal law).	Mid-October	Vinh Phuc	Review the implementation of the Law on Judicial Assistance after three years of implementation. STAR Plus may invite a Federal prosecutor from Bangkok to participate.
StandardsMap training for relevant state agencies and members of the business community in HCMC in cooperation with STAMEQ.	October 13-14	HCMC	Provide officials and businesses with tools to compare and select the most appropriate standards for their current capacity and status.
Training on TradeMap and InvestmentMap. The training will have a special focus on Malaysia, Taiwan and Vietnam. We anticipate there will be 20 to 25 participants.	October 17-18	Hanoi	
Workshops on "Environment in Free Trade Agreements, related regulations and implementation."	October 10-14	Hanoi HCMC	Provide TPP-related capacity building assistance to MOIT, MONRE, and invited stakeholders interested in the environment chapter of FTAs.
Workshops on how to conduct food safety risk assessments for pork and beef with emphasis on imports.	November 12-22	Hanoi HCMC	Provide Vietnamese officials with training in conducting a science-based risk assessment. Goal is to improve regulations related to the Food Safety Law and similar legislation so that artificial barriers to trade are

			not erected and public health is protected.
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MONTHLY REPORT FROM THE USAID STAR PLUS PROJECT

SEPTEMBER 2011

Legislative Function and Processes

Government Procurement: Government procurement is an issue that has very serious social, economic and developmental implications for developing countries. A large part of an average developing country's income is made up of the spending of its government on the purchase of goods, payment for all kinds of services, and a variety of projects, from the building of schools and roads to billion-dollar mega-dams and industrial complexes, provincial governments, statutory bodies and state-owned enterprises. It is a major issue for the United States, too. In 2007, U.S. Federal Government procurement totaled \$456 billion. The WTO does have an agreement on government procurement which covers market access. There is a plurilateral agreement, which means WTO members are free to join or not join, but hardly any developing countries, including Vietnam, have joined this agreement due to concerns about the adverse effects of their being members. Hence, government procurement has emerged as a major issue in the Trans Pacific Partnership FTA negotiations. It is very likely that Vietnam will be required to adjust its legal framework and administration of government procurement to support transparent and international standards of competition in government procurement. Vietnam's current Law on Public Procurement will be amended and upgraded in 2012. USAID STAR Plus has been asked to provide assistance in drafting that law.

USAID organized a 9-day study mission on government procurement in Chicago, Washington, D.C, and Maryland from September 10 to 18 with the following objectives:

- Educate the Vietnamese delegation about the national procurement system of other countries to help Vietnam improve the knowledge and promote procurement reform.
- Provide the Vietnamese team an overall picture of U.S. procurement systems which will be beneficial to the progress of TPP negotiation and reform of Vietnam's procurement systems.
- Equip key people of Public Procurement Agency with a practical knowledge of the U.S. Government procurement's legal framework, systems and implementation at the Federal, state and city levels. This knowledge will enable Vietnam to better understand the requirements for government procurement in TPP negotiations and adjust Vietnam's law and system of government procurement accordingly.
- Improve the capacity of the Government of Vietnam to establish a more transparent and effective procurement law and administration of government procurement. This will benefit both Vietnamese and American businesses.

- Provide a forum for the delegation members to share information on the Vietnamese Government Procurement System with relevant U.S. Federal and state agencies and stakeholders.

The Vietnamese delegation was composed of a mix of TPP negotiators (who were already in Chicago at GVN expense) and other officials from Hanoi. They included:

1. Mr. Le Van Tang - Director General of Public Procurement Agency of MPI.
2. Mr. Nguyen Dang Truong - Deputy Director General of Public Procurement Agency of MPI.
3. Ms. Nguyen Van Huong – Deputy Director of the Center for Procurement Support, Public Procurement Agency of MPI.
4. Ms. Nguyen Thi Thuy Hang – Head of Procurement Division, Public Procurement Agency of MPI.
5. Mr. Nguyen Thanh Tu – Deputy Director General, Department of International Law, Ministry of Justice

Upon his return to Hanoi, Mr. Le Van Tang, head of the delegation, said the mission exceeded his expectations. Mr. Trang said that all the meetings were perfect - not too long, not too short, not too many meetings each day, but all the agencies that they met with were exactly what they need. He said the group learned a lot from this mission and they are already thinking about what the next steps should be and what technical assistance may be needed on government procurement and preparation for the drafting of the revised Law on Procurement. The delegation also wants to:

- Translate parts of some US law books on procurement they received during meeting in the U.S.,
- Invite some of the people they met during the trip to come to Vietnam to train their staff.

Mr. Trang added that this trip was immensely helpful to them in understanding U.S. procurement standards, which are very different from those of the World Bank, which they are more familiar with.

Workshop on Treaties Law: On September 6, the Ministry of Foreign Affairs (MOFA), with support from USAID STAR Plus conducted a one-day workshop in Hanoi on implementation of the Law on Conclusion, Accession and Implementation of Treaties enacted in June of 2005. A major purpose of the workshop was to collect recommendations for possible amendment of the Law. STAR had played a key role in assisting the MOFA-led Drafting Team to finalize the Law in 2004 and 2005. (That Drafting Team was led by Vice Minister Le Cong Phung who thereafter became Vietnam's Ambassador to the U.S.)

This was the first time that MOFA had held a workshop on implementation of the Law since it became effective on January 1, 2006. The workshop was chaired by Mme. Le Thi Tuyet Mai, Deputy Director-General of MOFA's

Department of international Law and Treaties (who had worked closely with USAID STAR I in finalizing the Law in 2004-05). There were 42 participants from various ministries and agencies, including the Ministries of Culture, Planning and Investment, and Finance, as well as the Supreme People's Procuracy and representatives from various departments of MOFA.

In her opening statement Mme. Mai pointed out key advances made by the Law including the provisions that treaties prevail over conflicting provisions of domestic law and those providing for direct application of treaty provisions as law. She also summarized the five years of implementation of the Law, noting that it had effectively supported Vietnam in acceding to the WTO and generally had been effectively implemented by relevant agencies. STAR made a presentation focusing on recommendations to clearly enable individuals and organizations to enforce treaty provisions by suing in the courts and to simplify procedures for making treaty provisions directly applicable.

Other issues raised by participants during the discussion included the need for a clearer definition of treaties, clarification of when the State President must submit treaties to the National Assembly for ratification, better publication of treaties, as well as shorter, more flexible procedures for simpler and more routine treaties.

During both her opening and closing remarks Mme. Mai sincerely thanked USAID for its support for MOFA in developing the Law in 2004-04 and its current support of MOFA for the workshop and capacity building activities.

Trade and Investment Enabling Environment

Trade in Dairy Products: On September 15, USAID STAR Plus met with the National Milk Producers Federation (NMPF) and the U.S. Dairy Export Council (USDEC) in Washington to discuss cooperation in responding to the Ministry of Industry and Trade request for assistance in conducting a food safety risk assessment for dairy products. With the implementation of the 2010 Law on Food Safety, the Ministry of Industry and Trade (MOIT) has greater responsibility for food safety of dairy, beverages, cooking oil, and other products under their jurisdiction. U.S. dairy exporters expressed a strong interest in working with USAID STAR Plus to advise MOIT on food safety to ensure that the resulting risk assessment and food safety implementation strategy focuses on high priority risks such as counterfeit infant formula. U.S. exports of dairy products are one of the best hopes for increasing U.S. exports to Vietnam. Because of the strong demand for dried milk powder, Vietnam is now the 7th largest market for U.S. dairy exports.

A second meeting was convened on September 23 in Hanoi with USAID STAR Plus and representatives of USAID/Vietnam. The U.S. dairy industry was represented by Thomas Suber, President of the U.S. Dairy Export Council (USDEC), Matt McKnight, Senior Vice President for Market Access, Industry and Regulatory Affairs of the USDEC and Richard Fritz of the Food and Agriculture Export Alliance (FAEA). Among other things, the discussion covered the U.S. approach to food safety inspection, especially the different

roles played by the USDA and the Food and Drug Administration. Both Mr. Suber and Mr. McKnight expressed a strong desire that any work USAID does on the food safety aspects of daily products should be conducted by persons with an FDA background, not USDA experience. Two recently retired FDA scientists have been identified as potential technical assistance providers and may come to Vietnam in December 2011.

E-government and Civil Service Reform: On September 1, USAID STAR Plus and USAID/Vietnam met with officials from the Office of the Government to discuss future cooperation between USAID STAR Plus and OOG. The OOG requested a study mission to the United States on E-government and public sector reforms to strengthen the capacity of the OOG and inter-agency coordination in policy making and implementation.

Hague Conference: The Hague Conference is a global inter-governmental organization, currently having 72 Members (71 States and the European Union) representing all continents. Its purpose is “to work for the progressive unification of the rules of private international law. As such it has developed and currently services international conventions which respond to global needs in the following areas: (1) International protection of children, family and property relations; (2) International legal co-operation and litigation; and (3) International commercial and finance law. Currently there are 39 Hague Conventions. The most widely ratified Conventions deal with:

- The abolition of legalization (Apostille)
- Service of process
- Taking of evidence abroad
- Access to justice
- International child abduction
- Intercountry adoption
- Conflicts of laws relating to the form of testamentary dispositions
- Maintenance obligations
- Recognition of divorces

Recent Conventions are the Convention on the Law Applicable to Certain Rights in respect of Securities held with an Intermediary (2006), the Convention on Choice of Court Agreements (2005), the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance together with the Protocol on the Law Applicable to Maintenance Obligations (2007)

The MOJ requested USAID STAR Plus to provide advice and assistance in helping Vietnam determine whether to apply for membership. The Ministry requested that the expert to come to a seminar in Hanoi to be held on October 24 to present on (i) International experience on joining the Hague Conference on Private International Law; and (ii) The advantages and disadvantages, benefits and costs/burdens costs to Vietnam that would accrue from joining the Hague Conference. USAID STAR Plus arranged for

the Deputy Secretary General of the Hague Conference, Dr. Christophe Bernasconi, to attend the workshop.

Customs Training: Exports of Chinese-made steel from Vietnam, disguised as Vietnamese-made steel, are a major issue with the United States steel industry. The TPP will require greater customs disciplines of the type that are needed to stop anti-circumvention for steel, but these disciplines will apply to all products. In conjunction with the Government Procurement study tour, USAID STAR Plus met with the American Iron and Steel Institute in Washington, D.C. to explore the possibility of securing their participation in a series of seminars on anti-circumvention. Lessons learned from a series of steel seminars would provide important advice to VN customs about reforms that they will be required to undertake under the TPP. The Institute representatives were cordial, but expressed little interest in cooperating with such a program. USAID STAR Plus is exploring alternative ways of providing this much needed training, possibly with a focus on a different product.

Plant Protection Study Tour: USAID STAR Plus participated in a study tour on plant protection issues from September 10 to September 25. The objective of the study tour, which was primarily supported by the Food and Agriculture Export Alliance and USDA, was to work with a team that included representatives of the Office of the Government, the National Assembly and the Ministry of Agriculture and Rural Development to develop a law, and subsequent regulations that will enhance food and feed safety; reduce pesticide and herbicide residues in crops; better monitor and control plant diseases; harmonize Vietnam's plant laws and regulations with their WTO commitments (as well as IPPC); enhance import and export trade; licensing and control of pesticide and herbicide use; enhance labeling; protect the environment and human health against overuse and runoff from production chemicals; and assist Vietnam contribute in international fore on plant and human health (Codex Alimentations). The study tour also helped key government officials with responsibility for drafting the Law on Plant Health learn about the U.S. system and experiences in regulating plant health, especially in the areas of chemical residue level, management and use of plant protection drugs, quarantine of imports. The participants met with U.S. Government officials (Foreign Agricultural Service, Animal Plant Health Inspection Service (APHIS), FSIS and the Environmental Protection Agency), private sector companies and research institutions in Washington, North Carolina and Missouri. The delegation also received detailed briefings on biotechnology, safety of biotech products, compared to conventional products, and how biotech plays an important role in food security, climate change and environmental protection. Visits to a biotech corn farm in Maryland and a biotech soybean farm near St Louis, Missouri were included in the itinerary.

Financial Sector Enabling Environment and Fiscal and Monetary Policy

Economic Round Table: The National Assembly held an economic workshop in HCMC on Friday, September 23 to obtain comments from leading economists on the Government's performance. The National Assembly was anxious to get their assessments prior to the next General

Assembly meeting. The paper written by USAID STAR Plus economists Dr. Riedel and Dr. Tra on “The Cost of Disinflation” was included in the materials the Deputies reviewed. USAID STAR Plus economist, Dr. Phan Chi also made a presentation, at the request of the National Assembly on quantitative macroeconomic forecasting. The workshop called for stronger fiscal measures to address the root cause of high inflation and restructuring the economy.

Early Warning System: USAID STAR Plus provided further comments on the development of the early warning system to the State Bank to assist them in fine tuning the system. USAID STAR Plus shared the experiences of the Central Banks of Moldova and Macedonia with the State Bank of Vietnam. Use of the improved tool will enable policy makers at the SBV to identify macroeconomic risks at an earlier stage and introduce policy measures to mitigate the adverse effects of such developments.

Financial Forecasting: From September 13 to 15 USAID STAR Plus trained approximately 20 officials in Hanoi from the Ministry of Planning and Investment and the Monetary Policy Department of the State Bank of Vietnam on the use of a simplified financial forecasting program (based on International Monetary Fund tools) to enable them to better formulate monetary policy. Dr. Pham Chi, a former IMF economist and instructor from the Wharton School of Business, conducted the training. The policy recommendations arising from this exercise were subsequently adopted by the Central Bank of Vietnam. More intensive training will be conducted in early October for MPI and SBV officials in Vinh Yen and in Hanoi, with the participation of officials from the Ministry of Finance. As a result of this training, officials in all three organizations will be able to produce policy recommendations based on much better financial forecasts.

Fiscal Reform and Transparency: From September 15 to 17, USAID STAR Plus officials attended a workshop on fiscal reform and transparency in Hoi An. The event was supported by the United Nations Development Program and organized by the Finance and Budget Committee of the National Assembly. The workshop reviewed the experiences of transitional economy (China, Korea, Poland and New Zealand) in the light of the current fiscal challenges facing Vietnam. There were over 100 participants, mostly People’s Deputies. The attendees agreed that Vietnam needs to improve its fiscal position to stabilize macroeconomic conditions. Participants called for greater transparency and accountability in the budget law as part of the solution to the current fiscal deficit. Next steps: Members of the Committee expressed an interest in learning more about the U.S. approach to preparing the Federal budget, the role of the Congressional Budget Office, how budget hearings are conducted, etc. They also expressed a desire for a study tour to Washington to gain firsthand knowledge of the process.

Rule of Law

Legal Skills and Public Consultation: USAID STAR Plus supported the MOJ in conducting two three-day training courses for 500 officials from 35 provinces (300 in the HCMC on Sept 22-24 and 200 in Buon Me Thuot on Sept. 26-28) from Sept. 22 – 28. The purpose of the training was to

familiarize the participants with latest regulations on the role of provincial level legal staff in the development of new laws and with WTO-BTA requirements and U.S. experience in respect of two major topics – namely, (1) publication final laws and regulations in an official journal or on an official website before becoming effective; and (2) U.S. experience on publication of draft laws and regulations for public comment, as well as other tools, for public consultation. A second purpose was to provide participants with new skills needed to conduct public consultations in the course of developing new laws and regulations. Public consultation is a requirement under the 2004 Local Law on Laws but does not provide the detailed mechanism that the 2008 Law on Laws for the Central Level for posting drafts for a mandatory 60-day public comment period and requiring agencies to consider the comments and report on how they were used to revise the draft or were rejected and for what reasons. Practical advice was also offered on how these techniques could be used in Vietnam at the provincial level. In addition, USAID STAR Plus staff distributed a questionnaire to determine what interest there is at the provincial and local levels for more intensive and targeted training on public consultation. The MOJ consulted the local officials on three new draft regulations i.e. (i) decision on raising the salary for legal staff from 20-30% (ii) decision on raising the expenses for making laws and regulations (50% increase in some cases); and (iii) decree on law implementation by local officials.

Index of Law Implementation: The Ministry of Justice is required to report on the extent to which new laws and regulations are being implemented at the provincial level. Currently, they gather this information by asking each Department of Justice to submit a self-assessment. In order to reduce the possibility of self-interest yielding biased results, USAID STAR Plus is exploring the possibility of using data collected as part of the annual Provincial Competitiveness Index (but not currently reported in the PCI) to develop a new index that shows the perception among the business community of the degree to which new laws and regulations are being enforced.

Intellectual Property Rights Enforcement: The Ministry of Science and Technology's Management Training Institute (MTI) and USAID STAR Plus conducted a 3-day training program on intellectual property rights from September 12 to 14 in Do Son. The program was entitled "Intensive Training Course for Liaison Officials on IPR Enforcement." It focused on pulling together all the key officials responsible for enforcement for intensive discussions on topics identified as top concerns by the participating organizations. One of the main objectives was to enhance and strengthen cooperation among the enforcement forces using different tools available under the laws USAID helped develop under USAID STAR II. The participants were very active in sharing their enforcement experience and discussing what they can and should do to increase the effectiveness of enforcement efforts. The level of engagement by the participants was much higher than has been the case in the past, suggesting a new, very serious commitment to IPR protection.

Customs and IPR: On September 9, USAID STAR Plus met with Mr. Nguyen Duong Thai, Deputy Director General of the General Department of Vietnam Customs and other senior Customs officials to discuss their needs

for training of Customs staff on Intellectual Property Rights enforcement. They requested USAID STAR assistance in organizing training on a number of issues including: (1) Information analysis skills using risk management techniques (especially analyzing information that appears on B/L and AWB); (2) Experience on the development of IPR database; (3) Implementation of regulations relating to ex-official requirements for IPR (in compliance with Article 58 of TRIPs). Almost all of their requests fell well within the scope and capabilities of USAID STAR Plus. The U.S. Patent and Trademark Office, a long-time partner of STAR, also pledged to provide support. The Deputy Director General reiterated his strong desire to develop closer ties between his organization and the U.S. Customs and Border Protection Service.

Conference on Criminal Procedures: USAID STAR Plus participated in a conference on criminal procedure, "Reflections on two models: Inquisitorial and Accusatorial System on September 6. The program was sponsored by the Maison du Droit Vietnamo-Francaise at the Hanoi Law University. Featured experts included Rivaud Jean-Phillippe, Deputy Prosecutor General, Court of Appeal in Amiens, France, Dr. Stephen Thaman, Professor of Law at St. Louis University in Missouri and a former public defender in Oakland, California, Dr. Tran Van Dung, Professor of Criminal Law at Hanoi Law University, and Dr. Main Thanh Hieu, Deputy Director of the Department for Criminal Procedure and Criminal Law at the Hanoi Law University. The program was organized in cooperation with the Justice Partnership Program (JPP) of the European Union. USAID's 90-page paper on the U.S. criminal procedure process which was prepared in conjunction with a broader JPP effort involving several other countries has been translated into Vietnamese and forwarded to the Supreme People's Procuracy. That paper will be used by the SPP to develop recommendations for reforms to the judicial system. The reforms are likely to include elements of the US system, including a more adversarial process in criminal trials, greater separation between the prosecution and judges, plea bargaining, and a public defender system.

Labor Law Training: USAID STAR Plus completed negotiations to purchase the publication rights for a Vietnamese-language condensed version of the International Labor Law textbook, written by a group of American labor law professors at Cornell University, the University of Maryland, and the State University of New York at Buffalo. This Vietnamese-language text, the first of its kind, will be distributed electronically to law school faculties, law students, and interested personnel of the Vietnam Ministry of Labor Invalids and Social Affairs (MOLISA) and the Vietnam General Confederation of Labor (VGCL).

VISITING INTERNATIONAL EXPERTS

Who	When	To Do What
Brian Pierce, U.S. Attorney	October 5-8	Provide expert commentary on criminal aspects of judicial assistance at MOJ workshop.
Professor James Riedel	Mid-October	Conduct research and provide training on macroeconomic issues

		at the Ho Chi Minh Academy.
Mr. Harvey Herr, Monitoring and evaluation expert, dTS.	August 23-September 9	Update Monitoring and Evaluation Plan for STAR Plus Project to ensure compliance with USAID requirements.
Joe Wozniak and Greg Sampson, International Trade Center, Geneva	October 10-17	Conduct training on StandardsMap, TradeMap and ProductMap (analytical trade tools).
Richard Raymond. M.D. (former Under Secretary of Agriculture)	November 12-22	Provide training on food safety risk assessment techniques for pork.
Dr. Stephen Neel	November 12-22	Provide training on food safety risk assessment for beef.
Dr. David Brooks (Former USTR Director for Environment)	October 10-14	Provide TPP-related capacity building on environmental issues.
Mr. Alex Koff	October 17-21	Provide expert commentary on intellectual property rights issues associated with production and distribution of pharmaceuticals.
Dr. Christophe Bernasconi, Deputy Director General, Hague Conference	October 23-25	Vietnam is considering joining the Hague Conference on Private International Law, and to be a party to some of the Hague Conventions. The Ministry of Justice requested that USAID STAR Plus provide a technical expert and financial support for a workshop in Hanoi on October 24 to discuss international experience on joining the Hague Conference on Private International Law; and the advantages and disadvantages, benefits costs and burdens that would accrue to Vietnam from joining the Hague Conference.

UPCOMING EVENTS

Activities/Events	Date	Place	Objective
Training on StandardsMap	October 10-	Dak Lak	A one-day training program

for coffee producers and training of trainers.	12		will be conducted using case studies to help coffee farmers, production companies and traders compare and select the most appropriate standards for their current capacity and status. This will be followed by a two-day, train-the-trainers program for 25 to 30 people on StandardsMap.
Training on trade remedies for officials from Cambodia, Laos and Vietnam	October 4-6	Phnom Penh	WTO experts from Geneva will familiarize officials from Cambodia, Laos and Vietnam with WTO approaches to trade remedies.
Conference to review the implementation of the Law on Judicial Assistance (civil and criminal law).	October 6-8	Vinh Phuc	Review the implementation of the Law on Judicial Assistance after three years of implementation. STAR Plus may invite a Federal prosecutor from Bangkok to participate.
StandardsMap training for relevant state agencies and members of the business community in HCMC in cooperation with STAMEQ.	October 13-14	HCMC	Provide officials and businesses with tools to compare and select the most appropriate standards for their current capacity and status.
Training on TradeMap and InvestmentMap. The training will have a special focus on Malaysia, Taiwan and Vietnam. We anticipate there will be 20 to 25 participants.	October 17-18	Hanoi	
Workshops on "Environment in Free Trade Agreements, related regulations and implementation."	October 10-14	Hanoi HCMC	Provide TPP-related capacity building assistance to MOIT, MONRE, and invited stakeholders interested in the environment chapter of FTAs.
One-day workshop for pharmaceutical enterprises and officials who in charge of pharmaceutical management in Vietnam on	October 18	Hanoi	This program will introduce policies and technical solutions to pharmaceutical patent and trademark issues that are applicable to

"Protection of patents and trademarks for pharmaceutical products in the context of international integration".			developing countries. The workshop will also help Vietnamese enterprises better understand IPR concepts so that they can protect their rights and respect other pharmaceutical brand names, especially foreign names, to protect their trademarks and patents.
Training on international economic integration for approximately 50 provincial officials from Northern provinces at the Ho Chi Minh Academy for Political and Administrative Development.	October 24-26	Hanoi	Provide skills and knowledge needed by provincial officials. This will be the first training provided for local officials through the Ho Chi Minh Academy. Previous efforts have focused on the HCMA faculty.
Workshops on how to conduct food safety risk assessments for pork and beef with emphasis on imports.	November 12-22	Hanoi HCMC	Provide Vietnamese officials with training in conducting a science-based risk assessment. Goal is to improve regulations related to the Food Safety Law and similar legislation so that artificial barriers to trade are not erected and public health is protected.

ANNEX 2. TRAINING AND WORKSHOP EVALUATION RESULTS

Collected Data from Workshop and Training																														
Q1. Chất lượng các bài trình bày nói chung/The overall quality of the event was?	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	Total	%
Tốt/ Good	40	36	15	17	46	27	58	36	27	51	17	19	18	27	14	38	29	26	21	20	11	14	4	23	39	22	1	96	792	77.34
Trên trung bình/ Above average	0	4	10	3	13	15	11	4	15	20	3	2	16	15	0	3	0	9	1	2	1	0	4	18	6	6	13	6	200	19.53
Trung bình/ Average	0	0	1	0	0	0	3	1	0	6	2	0	3	0	0	1	0	0	0	4	0	0	1	5	2	0	0	0	29	2.83
Dưới trung bình/ Below average	0	0	1	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0.20
Kém/ Poor	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0.10
Total answered questions	40	40	27	20	59	42	72	41	42	78	22	21	37	42	14	42	29	35	22	26	12	14	9	46	47	28	14	103	1024	
Skipped question							1	0	0	0	0	1	0	0	0	1	1	1	0	0	0	1	0	0	0	0	0	0	6	
Q2. Các mục tiêu của Quý vị khi tham gia chương trình có được đáp ứng? / Were your goals for the Program met?	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	Total	%
Có/ Yes	40	40	22	20	57	41	68	39	41	73	21	21	36	41	14	41	30	35	21	26	12	14	9	42	47	28	13	103	995	97.36
Không/ No	0	0	5	0	0	1	4	2	1	5	1	0	1	1	0	1	0	0	1	0	0	0	0	4	0	0	0	0	27	2.64
Total answered questions	40	40	27	20	57	42	72	41	42	78	22	21	37	42	14	42	30	35	22	26	12	14	9	46	47	28	13	103	1022	
Skipped question	0	0	0	0	2	0	1	0	0	0	0	1	0	0	0	1	0	1	0	0	0	1	0	0	0	0	1	0	8	
Q3. Tác động chính của chương trình đối với quý vị?/ What is the main impact on your work?	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	Total	%
Rất hữu ích/ Very useful	26	6	3	15	30	15	28	14	15	40	4	2	9	15	9	19	19	5	9	4	6	10	0	9	19	6	1	60	398	39.96
Hữu ích/ Useful	13	31	16	4	26	22	39	26	22	30	15	17	25	22	5	20	11	28	11	16	6	4	0	27	24	16	12	40	528	53.01
Hữu ích ở mức độ nào đó/	1	3	8	0	3	4	5	1	4	6	2	3	3	4	0	2	0	2	2	6	0	0	0	10	4	6	1	2	82	8.23
Không hữu ích/ Not useful	0	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0.20
Total answered questions	40	40	27	19	59	41	72	41	41	77	22	22	37	41	14	41	30	35	22	26	12	14	0	46	47	28	0	102	996	
Skipped question	0	0	0	1	0	1	1	0	1	1	0	0	0	1		2	0	1	0	0	0	1	0	0	0	0	14	1	25	